

KOC 110.3

**HART COUNTY
REAPPORTIONMENT ORDINANCE**

WHEREAS, the Kentucky Legislature having enacted KRS 67.045 which became effective July 15, 1982; and,

WHEREAS, Hart County has members of the County Fiscal Court which are nominated and elected by District; and,

WHEREAS, by mandate of the Kentucky State Legislature as evident by KRS 67.045 the Hart County Fiscal Court did initiate reapportionment in May of the second year following the decennial census of the United States by publishing notice of the said planned reapportionment in accordance with KRS 424 and did on the 31st day of May, 2001 appoint three (3)

Competent citizens of Hart County, Kentucky, being over 21 years of age and residing in different districts those being Chuck Wuertzer, David Shadburne, and Betty Shoulders as reapportionment commissioners; and,

WHEREAS, on the 4th day of June, 2001, the commissioners before they proceeded to act were sworn by the County Judge/Executive to perform their duties; and

WHEREAS, on the 7th day of June, 2001, the Hart County Fiscal Court set their salaries at \$ 50.00 per meeting plus .30 cents per mile; and

WHEREAS, on the 19th day of July, 2001, the report of the commission was filed with the Hart Fiscal Court redrawing the magisterial lines; and,

WHEREAS, the total population of the Hart County according to the decennial census of the United States was 17,445; and,

WHEREAS, the County having been divided into five (5) magisterial districts with District #1 containing 3,619 people; District #2 containing 3,588 people; District #3 containing 3,564 people; District # 4 containing 3,282 people and District #5 containing 3,392 people and the commission having attached their map and description of the new districts; and,

WHEREAS, the Hart County Fiscal Court having not been satisfied from the report and the map that said districts were drawn decided to conduct a workshop to amend the recommendations received from the reapportionment commissioners

WHEREAS, the first reading of the ordinance was advertised in the Hart County News on the 30th day of October, 2001; and the second reading was advertised on the 13th day of November, 2001.

BE IT ORDAINED BY THE HART COUNTY FISCAL COURT,
COMMONWEALTH OF KENTUCKY:

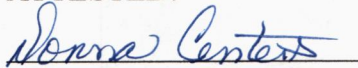
The amended map, which is attached hereto and made a part hereof and incorporated herein by reference in full be and same are hereby adopted as the official reapportionment of Hart County magisterial districts.

ENACTED this the 6th day of November, 2001.



TERRY SHELTON
Hart County Judge/Executive

ATTESTED:



DONNA CENTERS

Hart County Court Clerk

Reapportionment Commission Report Prepared for Hart County Fiscal Court July 2001

KRS 67.045 requires possible reapportionment of magisterial districts be considered following the 2000 decennial census of the United States. The number of magisterial districts is left to the discretion of the reapportionment commissioners. The commissioners can recommend the number of districts be increased, decreased or remain the same. The districts must be compact, contiguous, and the population of each district shall be as nearly as equal as possible (KRS 67.045(2)). The Office of the Attorney General has opined that, under the "one man, one vote" principal embodied in the Equal Protection Clause of the United States Constitution, there should not be more than a ten percent deviation between the populations of the largest and smallest districts. In considering the districts, the commissioners cannot divide a census block into multiple districts unless the county conducts a detailed population count of the block it wishes to divide.

The current population distribution by magisterial district is as follow:

District	Magistrate	Population	Deviation
1	Jim Stewart	4203	20%
2	Albert Hoover	4579	31%
3	Ronald Riordan	2968	-15%
4	Franklin Turner	1909	-45%
5	Don Kessenger	3786	9%

The deviation between the largest and smallest districts currently stands at 76%; 66% above the deviation allowed by the Attorney General's opinion.

The Reapportionment Commission has attempted to meet the requirements of KRS 67.045 and the opinion of the Attorney General with the least amount of change from a structure that was worked in Hart County for many years. The proposed changes were also done in a manner to not divide census blocks and to rely on major roads/rivers/natural boundaries as district dividing lines. While the proposed reapportionment plan is not perfect, we believe it is fair.

Therefore, we respectfully submit the following plan for the reapportionment of the magisterial districts. We recommend approval of the plan as presented. The population distribution by magisterial district under the proposed reapportionment plan is as follows:

District	Magistrate	Population	Deviation
1	Jim Stewart	3619	4%
2	Albert Hoover	3588	3%
3	Ronald Riordan	3564	2%
4	Franklin Turner	3282	-6%
5	Don Kessenger	3392	-3%

This proposed plan appears to meet the requirements of KRS 67.045, the opinion of the Attorney General and the needs of Hart County.