



Testimony of the Kansas Association of Counties
To the Senate Ethics and Elections
Opposition to Senate Bill 171 (Fall Elections for Municipalities)

February 11, 2015

Mr. Chairman and Members of the Committee:

Senate Bill 171 would change local spring elections to November of even years with an August primary. The bill includes additional changes to local elections that are less significant to the county perspective. KAC opposes the main elements of this bill, as the negatives of the proposal outweigh the possible increase in voter turnout. As indicated in previous years, moving elections to fall of odd years changes our stance to neutral conferees. Alternatively, we favor voter-turnout measures like mail ballots, voting centers, and Saturday elections. But the proposal in SB 171 is the most problematic and expensive plan to arise from this summer's special hearings, and it wholly disregards the advice and recommendation of our election officials. We subsequently encourage this committee to vote against SB 171.

KAC opposes this bill for three main reasons: 1) it creates the prospect of an excessively long ballot; 2) the bill will increase costs; and 3) there are more conservative and incremental measures to address voter turnout. These are all in addition to the structural challenges of extending or shortening the terms of currently elected officials. Across the United States, around 80% of local elections take place on days other than national Election Day.¹ There are beneficial reasons for this, and KAC advocates that Kansas either maintain its current election structure or consider alternative plans that do not carry the problems of SB 171.

KAC has worked closely with the Kansas County Clerks & Election Officials Association (KCCEOA) to identify the most substantial structural problems. KCCEOA is similarly opposing SB 171, and KAC is subsequently focusing on a few key areas of shared concern:

1. Unwieldy Ballot Length

- a. Current ballot machines count each page as a separate ballot. This increases the likelihood of error when tallying ballots because most counties will be unable to place every race on the front and back of a single ballot. Further, adding local elections would create a substantial amount of information for each voter to remember and consider for each election. The issues are too important at each level of government to risk voters missing elections and ballot initiatives. On page four of SB 171, the legislation requires county election officers to "develop ways to reduce the ballot length and expedite the voting process on election

¹ Anzia, Sarah F. *Partisan Power Play: The Origins of Local Election Timing as an American Political Institution*. 26 STUDIES IN AMERICAN POLITICAL DEVELOPMENT 1 (2012).

days.” Our election officials have already provided such proposals with the suggestion to either maintain the current elections cycle or move all local elections to the fall of odd years. The proposal in SB 171 ensures that ballot length and the necessary time for voting will be an unnecessary challenge.

2. Increased Elections Expense

- a. Some advocates of changing the timeframe for elections have mentioned the potential cost savings. But our elections officials maintain that this will be cost-neutral at best with a real prospect of rising costs by moving elections to the fall of even years. There will still occasionally be a need for special elections to address issues that spring elections currently address—this will add cost. Tight deadlines in the new fall elections will make ballot printing a rushed requirement, which adds expense. The local filings, appointment of campaign treasurers, filing of Statements of Substantial Interest, and other campaign issues will tack-on to the Secretary of State’s current duties for state and federal elections—again adding to the workload and potential expense. The County Clerks Association also highlighted the current efficiency of elections workers maintaining continuity from election to election. If this changes to the more infrequent election approach, the result could also add to the cost of running elections. These considerations pose a risk of increasing the cost of running local elections, whereas the current system allows for thoughtful budget planning with balanced costs from year to year.

3. Less-obtrusive Alternatives

- a. During the December 12, 2014 meeting for the Special Committee on Ethics, Elections, and Local Government, the members heard from three of our county clerks. During the discussion, the clerks mentioned ideas like advanced voting, mail ballots, voting centers, and Saturday elections. These policy changes increase voter turnout, as shown by earlier conferees like Wendy Underhill of National Conference of State Legislatures. These ideas would allow Kansas to pursue increased voter turnout without the concerns expressed by our local officials.

In the most recent publication of the Kansas Government Journal, the League of Kansas Municipalities further addressed the many options available to increase voter participation. If this is the objective for this committee, then there are incremental steps available to pursue this goal. Please take KAC’s concerns and the alternative proposals into account when considering SB 171. KAC opposes this bill and asks this committee to do the same. Thank you for your consideration of KAC’s testimony on SB 171.

Respectfully,

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