Senate Committee on Ethics & Elections
Hearing on Senate Bill 368
Hearing Date- February 4, 2016

Written Testimony in Opposition to SB 368 on behalf of the City of Manhattan
By Kiel Mangus, Assistant City Manager

Good morning Chair Holmes, Vice Chair Fitzgerald and honorable members of the House Elections Committee. My name is Kiel Mangus, and I am the Assistant City Manager for the City of Manhattan.

The City of Manhattan opposes SB368. Current state law already prohibits a City from promoting or opposing ballot questions. Cities can only educate on the topic. This bill will only provide a disservice to the general public in regards to them being an informed, voting electorate. Public education is vital to helping the voting electorate understand why things are being brought forth to the ballot. The City of Manhattan and Riley County were able to work jointly on a successful public education program for citizens in order to get a 1/2 cent sales tax passed for road and bridge construction. Without that type of successful joint education venture to allow citizens to truly understand what they were voting on, the ballot question likely would have failed. The City of Manhattan has several other concerns regarding this bill including:

- The world today seeks instant information and transparency in government operations (open government). It is a key duty of government to help provide information to residents. Allowing local government to provide information is especially crucial when that vital information explains what led their elected officials to put a ballot measure to a vote in the first place.

- The bill has broad reaching language when it uses phrases such as "or cause to be distributed" and "other documents." Simply publishing a staff report that led to the decision could be construed as a violation of this bill or for that matter fulfilling an open records request.

- This bill is made worse by what is currently occurring with the tax lid legislation. Under the tax lid legislation, increases would require a public vote, yet local government would be prohibited from educating the public on what they are voting for.

- Finally, this type of bill only further exacerbates the issue of local control eroding away. One of the City of Manhattan's top legislative issues for this session was maintaining Home Rule and local control. This bill takes away local governments' decision to provide the public valuable information regarding a ballot issue.

For all the above reasons the City of Manhattan opposes SB 368. Thanks for your time and consideration.

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