BEFORE THE SENATE COMMITTEE ON ETHICS AND ELECTIONS

Thursday, February 4, 2016

Senate Bill 368

Testimony of Ed Eilert
Chairman, Johnson County Board of County Commissioners

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to submit testimony in opposition to SB 368.

We in Johnson County value transparency and a well informed electorate. For many years local units of government in Kansas have shared information with their constituents regarding ballot measures put before them for consideration in an election. This information typically explains background data regarding the topic matter as well as providing financial information regarding the ballot measure in question.

This data is strictly informational. This background information does not advocate that an individual should support or oppose a question before the electorate. There are state statutes, established case law and public sector codes of ethics which would not allow any unit of government to advocate a position on a pending ballot measure.

The proposed language in Senate Bill 368 runs contrary to these fundamental principles. For example, if a local government property tax lid were in place, there is a requirement for a public vote when the value of property taxes increases above the rate of inflation. In those situations it will be incumbent on local units of government to share information regarding the overall financial condition of the public entity as well as the uses for the possible revenue enhancement. Other examples are sales tax proposals, and home rule charter amendments. Without factual information from the local government unit, voters will have to make decisions with limited information, some of which may not be accurate or relevant.

In summary, we support the precedent which allows local government to be able to engage in non-partisan, fact-based conversations with their constituents. We ask for your support to not move this legislation forward from committee. Thank you for your consideration.

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