



To: Chairman Pyle and Members of the Senate Ethics, Election and Local Government Committee  
From: Hannes Zacharias, County Manager, Johnson County Kansas  
Date: February 11, 2013  
Re: Johnson County Testimony in Opposition to Senate Bill 109

Chairman Pyle and Members of the Committee,

I am Hannes Zacharias, County Manager of Johnson County, and appear today in opposition to Senate Bill 109 because of the restrictions and limitations the Legislature is seeking to impose on the elected representatives of the citizens of Johnson County. Currently, County Government has the ability to determine how to expend our funds to ensure the efficient operations of local government. Representing our taxpayers and voters requires us to remain actively engaged in the public policy process in Topeka. Senate Bill 109 would severely limit or eliminate our ability to efficiently manage and will hinder communication at a time when cooperation should be increasing.

It appears Senate Bill 109 attempts to prohibit us from lobbying as defined in KSA 46-225 and to prohibit us from being members of trade and professional organizations that may lobby among their other activities. We believe a prohibition against both activities will have a detrimental impact on local government and on our citizens and taxpayers.

- Johnson County serves as the state's agent in a number of key areas critical to the public. State statute requires us to fund the operations of the sheriff's activities, the district attorney operations, the court system, the DMV, appraisers office, and many other mandated functions paid for by local tax dollars representing more than 20 percent of our county general fund budget. Tracking legislation and working with the Legislature is an essential component to ensure delivery of these mandated services effectively and efficiently.
- With 3,844 employees, 3<sup>rd</sup> largest employer in Johnson County and over \$640 million in expenditures—employment, retirement, health care, workers compensation, taxation issue are all applicable to local government as a service provider and an employer. It is a fiscal and policy necessity to monitor those issues.
- Senate Bill 109 would divert leadership, agency, and department staff time and resources to government relations and legislative oversight that would be much more costly and an inefficient use of funds.
- If we are prohibited from working with specialized professional associations such as the Kansas Association of Counties, that will only increase our costs as more professional staff time is spent on budget, public policy, and legislative issues instead of providing services and managing county agencies.

It also appears the bill is trying to create some kind of specific exception in lines 8-15. We believe that portion of the bill raised more questions than it answers. For example:

Line 10: Why can only “certain municipalities” communicate with a member of the legislature and who are those “certain municipalities.”

Line 10-11: Is “communicating with a member of the legislature” not lobbying or are there restrictions on what can be communicated?

Line 11: What does “on the request of that member” mean?

Line 12: What does “proper official channels” include?

Line 13-14: What does “deemed necessary for the efficient conduct of public business” include or exclude?

Line 14: What does “proper performance” mean?

Finally, for Johnson County and other local units of government, we hope the Committee will consider that while we may “lobby” we do not make campaign contributions, give gifts, provide lavish entertainment and travel as do some others that lobby. Our “lobbying” efforts are most importantly an attempt on monitor the state policy and budget activities. We would be negligent in our duty to our citizens and taxpayers if we did not monitor and participate when necessary in the process of the State setting public policy. The need for local government expertise and greater cooperation and open communication has never been higher than now. Those activities are our local responsibility and are required in the system as it exists now.

Fundamentally, the decision to spend local tax dollars to engage in state policy matters that impact local government is and should remain the prevue of locally elected government representatives. Big State government should not dictate how local resources should be spent, that is best left to elected local government officials and the citizens that have elected them.

Thank you and I will respond to questions at the appropriate time.

Hannes Zacharias  
County Manager  
Johnson County, Kansas