



BOARD OF COMMISSIONERS

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February 14, 2013

The Honorable Dennis Pyle, Chairman  
Senate Committee on Ethics, Elections and Local Government  
Room 159-S, State Capitol  
Topeka, KS 66612

Re: S.B. 109

Dear Chairman Pyle and Members of the Committee:

The Board of Riley County Commissioners opposes S.B. 109.

S.B. 109 prohibits county commissioners from *initiating* contact with our state legislative delegation, or any other member of the legislature. Unless a member of the legislature first contacts this Board, we may do so only "through the proper official channels." Additionally, S.B. 109 requires that our contact with our legislators is "deemed necessary for the efficient conduct of the public business or actually made in the proper performance of" this Board's "official duties."

Unfortunately, S.B. 109 does not define what those "proper official channels" are. Nor does S.B. 109 define how it will be determined whether our contact with our legislators is "deemed necessary for the efficient conduct of the public business." Finally, this bill does not define when our contact with our legislators will be considered "made in the proper performance of" our "official duties."

This Board believes it to be a base principle of democracy that we be allowed to contact our elected state officials on any matter we choose. We should not have the barrier of S.B. 109 standing between us and our exercise of that right on behalf of our constituents. That is particularly true since S.B. 109 contains a series of undefined terms, leaving us to guess whether or not we have exposed ourselves to the statute's criminal penalties.


We respectfully submit that S.B. 109 does not deserve the support of this committee and should not be passed on to the full Senate.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

A handwritten signature in blue ink, appearing to read "Dave Lewis", is written over a horizontal line.

Dave Lewis, Chairman



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Robert L. Boyd, Jr., Member



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Ronald E. Wells, Member

cc: Senator Tom Hawk  
Representative Sydney Carlin  
Representative Vern Swanson  
Representative Tom Phillips  
Representative Ron Highland