



**To:** Senate Committee on Ethics, Elections and Local Government

**From:** Nathan Eberline – Associate Legislative Director & Legal Counsel

**Date:** February 25, 2013

**Re:** Senate Bill 211 (change time and nature of local elections)

Thank you for the opportunity to oppose Senate Bill 211, which would change local elections to November. Not only are there a number of structural challenges to this proposal, but the potential change neglects the history and sound policy reasons behind our current system. Across the United States, around 80% of local elections take place on days other than national Election Day.<sup>1</sup> There are many beneficial reasons for this, and the Kansas Association of Counties advocates that Kansas maintain its current election structure.

When KAC adopted the stance to maintain the current election structure, it worked with the Kansas County Clerks Association to identify the most substantial structural problems. The Clerks Association is similarly opposing SB 211, and KAC is consequently 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.

2. Separation of Local Ballot Issues from Local Elections

- a. Counties, cities, school districts, and other public entities use the spring election to address issues like charter ordinances, sales-tax votes, bond issuances, and other issues that are largely of a local nature. It is important that voters make the connection between local officials and the local policy changes. By keeping elections in the spring, it allows Kansans to keep individuals accountable when they initiate changes that affect local communities. If SB 211 moves forward, these elections will still take place at added cost to locals and the state. Not only would this lead to needless waste of local funds, but it severs the connection between local officials and their ballot initiatives.

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<sup>1</sup> 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).

### 3. Increased Elections Expense

- a. Some advocates of changing the timeframe for elections have mentioned the potential cost savings. But it seems unlikely savings will actually occur. The counties maintain that this will be cost-neutral at best with a real prospect of rising costs by moving elections to the fall. As noted, 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 pointed out the current efficiency of elections workers maintaining continuity from election to election. If this changes to the more infrequent election approach, the result will also add to the cost of running elections. These considerations pose a substantial 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.

Finally, one concern that often joins the conversation to move elections is low voter turn-out. Though it is troubling that so few Kansans turn-out for elections, it is often the case that those with a vested interest in the election are most prone to participate.<sup>2</sup> Though we want high participation, we do not want it at the expense—literally and figuratively—of changing the election dates. If self-interest drives electoral participation, then it is ideal to have the engaged citizen address local issues that most affect them. It is too important to sweep the vital local issues into the chaos of state and local elections.

Please take these issues and those expressed by the Kansas County Clerks Association when considering SB 211. KAC asks that you oppose the bill and maintain the system that has served Kansas so well for many years.

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<sup>2</sup> *Id.* at 4 (citing Stephanie Dunne, W. Robert Reed, and James Wilbanks, — Endogenizing the Median Voter: Public Choice Goes to School, Public Choice 93 (1997))