

Water District No. 1 of Johnson County

**To: Chair, Representative Mark Khars
Members of the House Committee on Elections**

**From: Darci Meese, Government Affairs Coordinator
WaterOne (Water District No. 1 Johnson County)**

Date: March 11th, 2015

RE: Testimony in Opposition to Substitute for Senate Bill 171

On behalf of WaterOne, I am testifying in opposition to Substitute for SB 171 moving municipal elections to the fall of odd numbered years. SB 171 proposes to modify, among other statutes, K.S.A. 19-3505 and K.S.A. 19-3507, which deal with the election of water district board members. WaterOne is currently the only water district governed by these particular statutory provisions. Presently, the 7 member governing body of WaterOne is elected in April of odd numbered years with staggered 4 year terms running from May through April 30.

WaterOne's general concern with 171 is common to all other municipalities. We believe the quality of an informed vote in the spring is more beneficial than the quantity of voters coming to the polls in the busier fall elections. The bill proposes an unnecessary change to how local issues and candidates are voted upon by the public. Important local issues deserve the focused attention that spring elections provide.

Regarding the changes to WaterOne's statute specifically, we would like to point out two items. Current law provides that only voters within WaterOne's service territory vote upon our Board members. If only a portion of a precinct falls within our service territory, only that portion of voters cast votes for our elected officials. SB 171 would change this to provide that all voters of a precinct in which part of our service territory lies, would now vote on our Board members. Essentially BPU customers or Olathe customers could be voting on WaterOne Board members, in which they have no interest. The election office has the capability, with our assistance, to target just WaterOne customers and we believe that process should continue.

The second issue of concern in 171 is the modification of language in our statute regarding payment of election expenses. The original language provided that if a water district required a special election, the water district would cover expenses. In a general election with other items on the ballot water districts were responsible for pro rata expenses. The language has been modified by SB 171 to read "all direct expenses will be paid by the water district." This language is broad, troubling and seems to only be imposed upon one other entity effected by SB 171 without explanation. We respectfully request that the original language in K.S.A 19-3507 be restored with regards eligible voters and election expenses.

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