



Testimony of the Kansas Association of Counties
To the House Committee on Local Government
Neutral Conferee for HB 2235 (Appointed County Treasurers)

February 19, 2015

Mr. Chairman and Members of the Committee:

KAC has no stance on the merits of this bill as a neutral conferee but instead offers further information on how the current process works for altering the nature of elected positions at the county level.

K.S.A. 12-3901 and the subsequent statutes currently provide a mechanism for local governments to reorganize for the purpose of achieving greater efficiency and effectiveness.¹ To change the government, a local unit must determine that the current organization has duplication or that the office function “can be more efficiently and effectively exercised or provided as a consolidated activity.”² After this determination, the local unit must conduct a special hearing to discuss the proposed change.³ Any elected officials whose positions would be eliminated under the proposal must have an opportunity to speak and provide testimony at the hearing.⁴ Once this occurs, the proposal is “subject to the approval of a majority of the electors of the political or taxing subdivision” in an election where the state is voting to fill the office of governor.⁵

In short, there is an existing process in statute to deal with this issue. It affords public notice, public scrutiny, and ensures that the electorate has power to vote. This method already in statute addresses the issue in HB 2235 and has served local governments for the past 40 years. We take no position on the bill’s merits, but we are available to provide any needed information on how the current laws for reorganization apply to Kansas counties.

Respectfully,
Nathan Eberline
Legal Counsel

¹ K.S.A. 12-3901— 12-3920.

² K.S.A. 12-3903(a)

³ K.S.A. 12-3903(b).

⁴ K.S.A. 12-3903(c).

⁵ K.S.A. 12-3903(b).