

KEY POINTS FOR COMMITTEE DISCUSSION

March 5, 2015

1. **Protest Period.** A 90 day protest period is essential.

2. **Valid Protest Petition.** Please include a "valid petition" as a statutory form.

The way the current law is written, there are many opportunities to have a "gotcha" by a County Attorney, County Counselor, or District Judge who determines that there was some technical defect in the wording of the protest petition. If the protest procedures are deemed to be fair, the advocates should not have to worry about the cost of hiring an attorney to get the wording right. Even if the private attorney thinks it is worded properly, a District Court could look at it and overrule it. Please include a "valid petition" in the statute or state register.

3. **Number required for a protest.** - 2% of the actual votes in the last governor's election.

As we discussed, 5% of the *registered* voters is a high threshold. For Riley County, here are the numbers provided to us last fall.

<i>Political Entity</i>	<i>Registered Voters (active)</i>	<i>Registered Voters (inactive)</i>	<i>TOTAL Registered Voters</i>	<i>Percentage for protest petition</i>	<i># Required for protest petition.</i>
<i>Riley County</i>	28,001	5,088	33,089	5%	1,654
<i>City of Manhattan</i>	21,752	3,882	25,634	5%	1,282

4. **Require a vote** for any public building commission action that is financing more than 2% of the county's total assessed valuation.

According to the Riley County 2014 budget document, "Assessed Valuation for the 2014 budget is \$552,389,020, an increase of 4.85% over last year." Under this suggestion, *any project in Riley County* that cost more than \$11 million dollars would be required to go to a vote. Any project below that threshold would still be subject to the protest petition. In Shawnee, Wyandotte Johnson or Sedgwick Counties, that threshold number would be much higher.