



Shawnee County  
**Register of Deeds**

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**MARILYN L. NICHOLS**  
REGISTER

February 12, 2012

Senate Local Government Committee

Honorable Senator Reitz, Chairman

Re: SB 385 An act enabling the Board of County Commissioners to determine the duties of the County Clerk, County Treasurer and Register of Deeds.

This testimony is in opposition to SB 385. We understand the intent of this bill is to enable the Board of County Commissioners to determine the duties of the (now elected) County Clerk, Treasurer and Register of Deeds. I am not only offering opposing testimony on my own behalf as the Register of Deeds in Shawnee County, but also on behalf of the Kansas Register of Deeds Association, of which I am a Legislative Committee Co-Chair for 2012

Part of the Kansas County Official Association's, of which I am Past President, Mission Statement states their support in, and commitment to, upholding democratic principles which allow Kansans to determine their constitutional right of self-governance including the election of all local officials. I cannot find the words to state it any better. The right of Kansans to determine what type of self-governance they choose should not be infringed upon under any circumstances. There are statutes in place that allow for the people to determine whether they wish to keep these elected officials in place, as well as direction to take to remove those same officials from office. We see no reason to usurp those statutes as they are in place to enable the people to have their say as is their right and privilege.

Are there elected officials that are lacking in leadership? Yes. Are there elected officials that are not as competent or diligent as we wish them to be? Probably yes again, but we the people are about to exercise the right to keep or replace those officials in just eight months from now. We are not in support of disturbing these rights as given!

Please do not consider a passage of a bill that curtails your constituents' right to self governance in any way.

I appreciate your attention and service to the public.

Marilyn L. Nichols,  
Shawnee County Register of Deeds

Senate Local Government

2-14-2012

Attachment 3