

KRIS W. KOBACH
Secretary of State



Memorial Hall, 1st Floor
120 S.W. 10th Avenue
Topeka, KS 66612-1594
(785) 296-4564

STATE OF KANSAS
Senate Committee on Ethics, Elections and Local Government

Testimony on Senate Bill 145

Brad Bryant
Deputy Assistant Secretary of State

March 13, 2013

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to testify on Senate Bill 145. This bill deals with local and municipal elections currently held in the spring of odd-numbered years. The bill would move these elections from the spring of odd-numbered years to the fall of odd-numbered years and would make the elections partisan. Key dates in the election calendar would mirror the dates of elections held in even-numbered years: a candidate filing at noon on June 1, a primary election on the first Tuesday of August, a general election on the Tuesday following the first Monday in November, and the commencement of terms of elected officials on the second Monday in January succeeding the general election.

This bill affects the following jurisdictions: extension districts, cities, boards of public utilities, water districts, drainage districts, irrigation districts, unified school districts, and community colleges.

From a public policy perspective, we support legislation that will increase turnout. Earlier this year we had supported House Bill 2271 because it would accomplish that by moving local spring elections to the fall of even-numbered years to coincide with partisan elections for national, state, county and township offices. Senate Bill 145 is a reasonable alternative if it proves unworkable to move the local elections to even-numbered years.

We anticipate that moving municipal elections to the fall of odd-numbered years will increase turnout because (1) there will be regular, predictable elections every fall—primaries in August and general elections in November, (2) voters will be more focused on municipal elections if there is a break following the gubernatorial and presidential elections in the fall of even-numbered years.

Senate Bill 145 also offers other benefits: (1) the election calendar is more spread out, providing county election officers adequate time for ballot production before the primary and general elections, (2) it provides more opportunities for local governing bodies to place questions on the ballots in regularly scheduled elections, which they often prefer to do in order to save money, and (2) it provides adequate time for distribution of ballots to military and overseas voters. The

current ten-week municipal election calendar from candidate filing deadline through the general election is much more compressed.

We have listed some amendments that we recommend the committee consider. Also, we have listed some questions regarding the intent of the bill.

Proposed Technical Amendments to SB 145

1. Page 6, lines 11 and 12
Delete the language referring to April elections for extension councils.
2. Page 16, line 26
Insert "of November" after "Monday"
3. Page 24, line 33
Delete "following the first Monday"
4. Page 32, line 26
Insert "and municipal" after "state"
5. Page 41, Sec. 48
Delete this section because it is not consistent with the rest of the bill. Sec. 48 says to list candidates' names on the ballot in alphabetical order, whereas the rest of the bill appears to maintain the current ballot rotation system.

Questions Regarding Senate Bill 145

1. We question whether the intent of Senate Bill 145 is to require primary elections in jurisdictions that have not held them in the past.
For water districts, current law states that there shall be no primary elections. This language is deleted in this bill.
Current laws are silent with regard to primaries in extension council, drainage districts and irrigation districts. We believe that these jurisdictions have not held primaries in the past.
2. Page 32, Sec. 38, Line 2
Under current law, ballot rotation is not required in 3rd class cities—only in 1st and 2nd class cities. Sec. 38 strikes the language referring to 1st and 2nd class cities, so it appears to require ballot rotation in 3rd class cities for the first time.