



Testimony to the Senate Ethics, Elections and Local Government Committee
on SB 229

February 13, 2018

Madam Chair and Members of the Committee:

Thank you for the opportunity to offer testimony in support of SB 229. SB 229 amends the appointment process for Election Commissioners and removes the Kansas Secretary of State as the appointing authority and inserts the Board of County Commissioners as the appointing authority. Last week we supported SB 299, a bill introduced by KAC, as our means to place Election Commissioners under the county budget and personnel policies governing other county officials.

Election Commissioners are appointed in the four urban counties pursuant to K.S.A. 19-3419, which currently authorizes the Secretary of State to make the appointments in counties with populations greater than 130,000. As I discussed last week on SB 299, Attorney General Opinion 2017-11 was issued to Secretary of State Kris Kobach in August, 2017 and that AGO interpreted the statutory language relating to the Election Commissioner's budget to require the Board of County Commissioners to appropriate whatever funds are requested by the Election Commissioner.

Both SB 299 and 229 would override the AGO by placing the Election Commissioner under the budget and personnel policies of the Board of County Commissioners. While SB 299 allows the Secretary of State to retain his appointment authority, today's bill, SB 229, make the Election Commissioner another county appointed position, placing that position squarely within the county framework. As previously discussed, the County Clerk administers elections in the other 101 counties, and that position is subject to the Board of County Commissioner's budget authority and personnel policies.

We support the bill, and ask the committee to recommend it favorably. Thank you for your time and I would be happy to answer questions.

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