

Written Testimony - proponent

February 20th, 2024  
Topeka State Capitol  
Committee on Federal and State Affairs  
201 SW 8th Ave  
Topeka, KS 66603

Reference: SB 474  
Greetings Mr. Chairman and Committee,

I request your consideration for the support of SB474 and the elimination of the administrative ordinance limitation from state statute K.S.A 12-3013. I am simply a citizen from Manhattan, KS, but my libertarian values compel me to state my position on this important issue regarding our democratic process.

The administrative state in our country is suffering from a crisis of legitimacy. Many people question the legality of the myriad unelected commissions, boards, and agencies attached to and through which much of our modern municipal governance occurs. This concern adds much justification to the need for legislative and administrative petitions in Kansas communities. Petitioning is still a useful and fundamental human right that empowers individuals or groups to voice their concerns and seek redress from their local government or authorities. It is a complementary means of getting represented in local city government.

K.S. A. 12-3013 is over 60 years old. The size and scope and intrusiveness of local government into the lives of citizens has expanded greatly in that time. The practice of not allowing administrative ordinance petitions was wrong then and that error has been multiplied by the current power of municipal government authority.

The justification for administrative petitions comes to two main points. Petitioning is an expeditious American democratic tradition and it is a vital redress against existing bad local laws.

First: Democratic participation through both legislative and administrative petition ensures that people play a critical role in self-governance. Administrative petitions provides checks and balances as a mechanism for citizens to hold municipal governments accountable for their actions and decisions to prevent potential abuses. It helps provide community representation, transparency and responsive governance. These petitions encourage civil engagement, promotes dialogue and collaboration, strengthens trust in local government due to citizen ownership and investment in the democratic process. Lastly, they allow for flexibility and adaptability to modify existing laws and rules in response to changing societal needs, ensuring governance remains relevant and effective over time.

Second: Administrative petitions can be used as a redress against existing bad local laws, rules, policies, regulations and ordinances etc ... Examples might include repealing city nuisance ordinances, eminent domain, discriminatory housing policies, reforming police accountability measures and tax increases from local non-government authorities.

This bill contains no potential trojan horses within. Petitions throughout the decades have seen a decline in popularity but it is still a valuable piece to the democratic process. Due to the excessive signature requirement, it is a monumental process that would require a collaborative coalition of united citizens to achieve. I fully believe the addition of administrative petitions would not create an opportunity for an inundation of frivolous or repetitive petitions. All petitions would need to comply with state statutes and pass state constitutional muster but this in

no way should be considered an administrative overload nor a barrier to passing the bill.

I ask this committee to expand and strengthen our democratic process and the citizens of Kansas's participation and ownership in it by approving these changes to the state statute.

Respectfully,

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