

Testimony in Support of SB299
Ed Eilert: Chairman, Johnson County Board of County Commissioners
Senate Ethics, Elections and Local Government
Tuesday, February 6, 2018

Good morning, Madam Chair, and Members of the Committee,

My name is Ed Eilert, and I am the Chairman of the Johnson County Board of County Commissioners. I am thankful for the opportunity to appear before you today in full support of SB299. This is an extremely important issue not only to my county, but to the other three largest counties in the state: Sedgwick, Wyandotte and Shawnee. It is a narrowly-tailored legislative fix to a problem of an appointed official having complete budget authority as well as no requirement to follow established county personnel policies.

In August of 2017, the Attorney General released Opinion 11. This opinion stated that counties with election commissioners appointed by the Secretary of State (otherwise known as election commissioners for the four largest counties in the state) have the ability to set their own budgets, without any approval by other elected officials - including the various boards of county commissioners. This means that a budget could be set by an election commissioner and - no matter what amount that particular budget might be - the county would have to accept the amount that was requested and fit it into their overall budget for the fiscal year. For counties that are now operating under budget restrictions caused by the newly legislated tax lid, this unrestricted spending authority creates undue hardship as the Counties set their budgets.

Further, this bill provides safeguards to counties by requiring that election commissioners and their staff follow the same personnel policies as the other county employees and county departments. Without this change in the law, counties find themselves assuming all of the liability for personal policy violations, with none of the authority to insure compliance with countywide policies.

In short, SB 299 would require the election commissioner to follow the same county policies and procedures as other county government departments in regards to budget approval and personnel policies. SB299 would require that all 105 counties follow the same policy and procedures, instead of special rules for the four large counties.

I appreciate the opportunity to appear before your committee Madam Chair and am happy to stand for questions at the appropriate time.