

CITY OF SHAWNEE

CITY HALL

11110 JOHNSON DRIVE
SHAWNEE, KS 66203
(913) 631-2500
FAX (913) 631-7351

CIVIC CENTRE

13817 JOHNSON DRIVE
SHAWNEE, KS 66216
(913) 631-5200
FAX (913) 631-4651

FIRE

6501 QUIVIRA ROAD
SHAWNEE, KS 66216
(913) 631-1080
FAX (913) 631-1628

POLICE

5850 RENNER ROAD
SHAWNEE, KS 66217
(913) 631-2155
FAX (913) 631-6389

MUNICIPAL COURT

5860 RENNER ROAD
SHAWNEE, KS 66217
(913) 742-6003
FAX (913) 962-0983

HOUSE COMMITTEE ON ELECTIONS HB 2310

Written Testimony in Opposition of HB 2310 on behalf of the City of Shawnee By Nolan Sunderman, Assistant City Manager February 17, 2017

Honorable Chair and members of the House Committee on Elections:

The City is currently opposed to House Bill 2310 because Section 4 would potentially repeal long-standing charter ordinances that are essential to the City's operations.

The city election statutes have been non-uniform for decades, and the City has exercised its Home Rule powers during that time to adopt local rules related to elections and other issues. The City is concerned that, because it has relied on the non-uniformity of K.S.A. 25-2110a to charter out of other statutes that were part of the same enactment, this legislation will potentially repeal those charter ordinances.

After much discussion with the Shawnee Governing Body, along with public input opportunities, the City has chosen to create a primary election process where a maximum of two candidates advance to the general election, rather than three candidates as allowed by state statute. HB 2310 would potentially reverse the City's choice to opt out of the state's primary election process. The legislation would also reverse the City's decision to charter out of K.S.A. 12-104a. This law is unworkable because it requires cities to call a special election within 45 days if they haven't filled a vacancy within 60 days, and conflicts with many other statutes.

If the Committee desires additional clarity, the League of Kansas Municipalities has crafted an amendment to HB 2310 to accomplish that goal which does not force cities to be subject to the concerns addressed above. The amendment creates uniform rules for the filing fee and where candidates are to file. However, it also leaves non-uniform provisions for the nomination petition requirements. The result of this amended legislation would provide statutory clarity, the continued validity of city charter ordinances, taxpayers avoiding the cost of recodifying new ordinances, and legal certainty heading into the November city elections.

For these reasons, the City of Shawnee requests the Committee either not pass HB 2310 out of committee, or adopt the amendment drafted by the League of Kansas Municipalities. Thank you for your consideration.

