



November 16, 2021

Senator Ty Masterson
300 SW 10th Ave, Room 332-E
Topeka, Kansas 66612

Dear Senator Masterson,

The City of Bel Aire's Governing Body respectfully requests your support by presenting a bill to explicitly give municipal governing bodies the authority to add advisory questions to their electorate's ballot. Currently, the Secretary of State relies on 1982 Attorney General Opinion No. 83-177 to require election commissioners across the State only allow statutorily binding questions on election ballots.

The Secretary of State's interpretation of the 1982 AG opinion should be replaced with actual law. From time-to-time governing bodies want to ask their constituents about their thoughts on city parks, interest in certain services, or in the case of Bel Aire-- opinions regarding the Mayor and Council term limits. These sort of questions bring great value to the local legislative process yet they are not allowed on county run election ballots because they are legally considered advisory and are not statutorily binding on the local municipality. Cities like ours have to spend additional resources on holding separate elections for advisory questions when it's often more efficient and engaging to use the countywide election process already in place.

If your chamber will act to pass legislation allowing municipal governing bodies the ability to present our constituents advisory questions through the existing election process, this problem can be solved. By explicitly requiring the Election Commissioner to include an additional section or page of the election ballot for non-binding questions upon a city's request, these local matters can be presented to the public during the regular election -- when voters are most engaged.

The City of Bel Aire supports ensuring advisory questions are clearly distinct from binding questions. We want voters to understand the essential differences, but it is a failure to all together disallow advisory questions from being a part of our county run elections. **Please support local engagement by passing legislation to add advisory questions to elections overseen by the Secretary of State's county election offices.**

We are willing to meet with you to discuss how this sort of effort to engage our voters can make our communities and our State better. Our City Attorney is also available to assist with proposed bill language if requested. We welcome an email or call if you need additional information from us. My email is JBenage@belaireks.gov and I can be reached at 316-684-0226.

Thank you in advance for taking the time to understand and champion these priorities on behalf of the City of Bel Aire.

A handwritten signature in blue ink, appearing to read "Jim Benage".

Respectfully,

Mayor Jim Benage on behalf of City of Bel Aire Council



November 16, 2021

Senator Carolyn McGinn
300 SW 10th Ave, Room 541-E
Topeka, Kansas 66612

Dear Senator McGinn,

The City of Bel Aire's Governing Body respectfully requests your support by presenting a bill to explicitly give municipal governing bodies the authority to add advisory questions to their electorate's ballot. Currently, the Secretary of State relies on 1982 Attorney General Opinion No. 83-177 to require election commissioners across the State only allow statutorily binding questions on election ballots.

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Mayor Jim Benage on behalf of City of Bel Aire Council





November 16, 2021

Representative KC Ohaebosim
300 SW 10th Ave, Room 173-W
Topeka, Kansas 66612

Dear Representative Ohaebosim,

The City of Bel Aire's Governing Body respectfully requests your support by presenting a bill to explicitly give municipal governing bodies the authority to add advisory questions to their electorate's ballot. Currently, the Secretary of State relies on 1982 Attorney General Opinion No. 83-177 to require election commissioners across the State only allow statutorily binding questions on election ballots.

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Mayor Jim Benage on behalf of City of Bel Aire Council



November 16, 2021

Representative Patrick Penn
300 SW 10th Ave, Room 512-N
Topeka, Kansas 66612

Dear Representative Penn,

The City of Bel Aire's Governing Body respectfully requests your support by presenting a bill to explicitly give municipal governing bodies the authority to add advisory questions to their electorate's ballot. Currently, the Secretary of State relies on 1982 Attorney General Opinion No. 83-177 to require election commissioners across the State only allow statutorily binding questions on election ballots.

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