

03/05/2025

HCR5008

Proponent

Written Only

Chairman Warren and members of the committee,

I am submitting my proponent testimony for HCR5008. I believe the legislative branch needs to claw back some of their authority from the bureaucracy. The executive branch needs to be held under tighter control. From my personal experience, the Secretary of State's office has not always followed the statute with the regulation they produced.

In 2022, I observed the post-election audit of the Value Them Both constitutional amendment in Sedgwick County. This is an instance where regulation and statute conflicted with each other. KSA 25-3009 required the use of paper ballots for the post-election audit. KAR 7-47-1 allowed the use of ballot images. They are not the same. Ballots have a verifiable chain of custody. Ballot images do not. The ballot images should never have been used. The Secretary of State's office really didn't see much of an issue with this until the 2023 session and it was corrected.

One other point to make would be that JCARR is already in place to review rules and regulations for the legislative branch. However, they do not have much authority to do anything at the moment. JCARR could become much more important in the future if this was to pass. Along with JCARR, the Attorney General's Office would determine if regulations are compliant with statutes and work together to help provide oversight.

I urge you to support HCR5008 to help take back your legislative power and provide oversight to ensure rules and regulations are compliant with statutes.

Respectfully,

Brett Anderson

Republican Precinct Committeeman

Sedgwick County