

Testimony of **Brett Bitner** to the  
Senate Committee on Federal and State Affairs  
Proponent for SB 474 • **19 February, 2024**

Chairman Olson and Members of the Committee:

Thank you for the opportunity to supply written testimony in support of Senate Bill 474 regarding the amendment of K.S.A. 12-3013.

Countless examples of bureaucratic overreach have been abundant over the last decade; abundant and growing. Kansas is not immune to this overreach and K.S.A 12-3013, as written, provides a loophole to insulate the executive branch of city governments from the civic engagement and oversight of their activities and the administration of their offices. Petitions qualifying for ballot for the creation, amendment, revision, or abolishment should not be limited simply to statutory measures. Citizens absolutely have the right to review and reshape administrative policy created and enforced by not only elected but UNELECTED officials of the communities in which they live, work, and pay taxes to support. If not, do we not face the same sort of situation the Patriots fought against before the Revolution; taxation (along with politically motivated, burdensome, and restrictive control and regulation) without true representation. The Administrative Ordinance exception in subsection (e),(1) effectively insulates the bureaucratic apparatus of local governments from the purview of and accountability to their citizenry and electorate. In the face of numerous instances of unanswered and indifferent response to citizen outrage over local, State, and Federal provision for or protection of Diversity, Equity, Inclusion (DEI), Critical Race Theory (CRT), various Covid-19 response policies, the recent weaponization of the Justice Department, the Internal Revenue Service, and even the Courts, and other numerous and sundry Leftist initiatives to name a few, is the proliferation of the brazen indifference to the will of the PEOPLE with what essentially amounts to the following response, "Because we are in charge and we do not

really answer to you.” That is a slap in the face seen in jurisdictions across the country and even from our own Governor of the people (who pay the plentiful taxes and numerous and frivolous fees that fund those offices) that needs to STOP in the State of Kansas. Those individuals and offices SERVE the people of their communities; NOT the other way around. It is high time for a shot across the bow that lets those officials remember their power and influence is not as unlimited and they seem to believe. While this amendment currently addresses only local jurisdictions, we hope to expand the scope of this effort in the future to include executive branches at the county and State levels as well. You, the sitting members of this committee and this most honorable body of our State Legislature have and will always face the sort of scrutiny and accountability this amendment proposes. Is it somehow unfair these bureaucrats face that same scrutiny? Is it not high time that the unbridled administrative offices across this great State face that same scrutiny? If your answer to these questions is Yes, then support of SB 474 is one way to send that message.

In conclusion, I appreciate the time you all have taken to review my testimony and pray you have found it sufficiently compelling to lend your support. May God bless the work you do and guide you to the best decisions for our State and her people.

Respectfully,

**Brett Bitner**  
**Topeka, KS**