

Approved 3/2/89
Date

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Kenneth R. King at
Chairperson

9:07 a.m./p.m./on Tuesday, February 28, 1989 in room 521-S of the Capitol.

All members were present except:

Committee staff present:

Myrta Anderson, Legislative Research Department
Fred Carman, Revisor of Statutes Office
Ron Thornburgh, Secretary of State's Office
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Pete McGill, Pete McGill and Associates
John Koepke, Kansas Association of School Boards
Craig Grant, KNEA
Karen France, Kansas Association of Realtors
Douglass Merritt, Atchison, Kansas
Ron Thornburgh, Office of Secretary of State
Representative Brady

The meeting of the House Election was called to order at 9:07 a.m. by Chairman Kenneth R. King.

Hearings were continued on HB 2359.

The first conferee to appear before the committee was Pete McGill. He spoke neither as a proponent or opponent on HB 2359 but stated his opinions as to how this bill would affect future campaign financing. (Attachment I)

The opponents of HB2359 were next on the agenda to appear. John Koepke, Executive Director of Kansas Association of School Boards, presented written testimony requesting that community college and school board offices be removed from the proposed definition of "local office" under the Campaign Finance Act. (Attachment II)

Craig Grant, KNEA, next presented written testimony and spoke on his concerns with two changes the bill addresses, Section 1 and Section 9. (Attachment III)

The Chair acknowledged Karen France, Director of Governmental Affairs of the Kansas Association of Realtors. She spoke in support of some sections of HB 2359 and in opposition to Sections 1 and 9. (Attachment IV)

There were no other conferees to appear before the committee and the Chairman closed hearings on HB 2359.

The Chair called on Ron Thornburgh, from the Secretary of State's Office to explain the content of HB 2428. This bill would raise the number of signatures necessary for an independent candidate to obtain ballot status for a state-wide office and would increase the time in which to circulate nomination petitions. (Attachment V)

Douglass Merritt, Atchison, appeared before the committee and

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,
room 521-S, Statehouse, at 9:07 a.m./~~p.m.~~ on Tuesday, February 28, 1989

spoke in opposition of this bill. He stated the intent of the legislation, as he saw it, was to drive out independent candidates for presidential elections. He requested the bill not be changed with the exception of possibly Line 37 reading "no more than 2,500 signatures". (Attachment VI)

Following this testimony hearings were closed on HB 2428.

Representative Brady was recognized by Chairman King and he passed out written testimony explaining HB 2312. (Attachment VII)

As the time for adjournment was at hand, the Chairman stated the hearings would continue on HB 2312 at the next meeting on the 2nd of March.

The minutes for the meetings on February 21st and February 23rd were presented for approval. Representative Jones moved that the minutes be approved as presented. Representative Shallenburger seconded the motion. The motion carried.

The meeting adjourned at 10:20 a.m.

The next meeting of the Election Committee will be at 9:00 a.m. on Thursday, March 2nd in Room 521-S.

TESTIMONY
TO THE HOUSE ELECTIONS COMMITTEE
ON
HOUSE BILL 2359

February 28, 1989

Attachment I

Mr. Chairman, Members of the Committee:

My name is Pete McGill and I want to thank you for the opportunity to appear here today. I am here in my personal and individual capacity and anything I say does not necessarily reflect the opinions of any clients I represent.

I approach you with much apprehension, reservation and concern. I learned several years ago after the leaving the Speaker's office and the legislature, as have most other former legislators retiring from the process, that most people, and particularly legislators are not too impressed with the opinions of those who may have once served in the system.

Most are reminded that times have changed, the process has changed and the composition of the legislature has changed both in style and substance.

And that is true. A little more than a decade ago, the average age of legislators had to be in the late fifties and perhaps higher. I have no accurate statistics but now that average age must be at least fifteen years less. The number of professional people in the legislature in their productive years has dramatically declined, particularly with attorneys and business people.

Yes the composition of the legislature has changed as has the process. But one thing that hasn't changed is the public's expectation that the election process will provide leadership with ability and integrity to govern effectively after the elections have passed. The public would like to think they have elected those committed to making government work in the manner intended for a democratic form of government, free of coercion, intimidation and domination by special

interest groups.

I fully recognize I am an integral part of that huge army of special interest groups that are fortunate in having the opportunity to work within the system. I also recognize I am a part of the system that both the public and the media view with some reservations.

Being a part of that system since I have left the legislature has given me the opportunity to continue to review the legislative process as the changes have transpired. I like to think that I recognize the evolution that has taken place which may give some credence to my comments here today.

Having long been a strong advocate of making the legislature an equal branch of government as mandated by the State Constitution, my interest and concern has not diminished even though I am in a substantially different part of the process.

During the time I was Speaker, along with my friend Pete Loux, Minority Leader and others, I was one of the principal architects of the campaign finance act that appears in the Kansas statutes today. It is fair to say I have received a substantial amount of criticism from my colleagues of that era and subsequent periods for what many perceive as ill conceived legislation.

Notwithstanding all the rhetoric about legislative intent and subsequent misinterpretation of legislative intent, I can tell you what I recall as legislative intent.

The purpose of the original campaign finance act was primarily to insure public disclosure of all campaign contributions and provide simple but adequate reporting procedures. It was not our intent to complicate the process as to

discourage people from participating in elections and individual campaigns.

Many of you will recall, the campaign finance act was a part of many reform measures enacted by the Kansas legislature in the aftermath of Watergate. I am still proud of the fact I had the privilege of traveling to Williamsburg, Virginia in 1976 to accept an award on behalf of the State of Kansas for the most improved legislature in the United States.

There were 32 changes made in the process that year that were the basis for the award. The campaign finance act was the one that received the most attention and the one most often cited.

I hasten to add here that contrary to popular perception, closing the "watering holes" in Topeka, for which I received much criticism, was not a part of that 32 and never appeared in the statute books.

Kansas was one of the first, and may have been the first state as I recall, to pass campaign finance legislation. Our bill became the model for most other states and the one most often referred to by the National Conference of State Legislatures and now all 50 states have similar legislation.

As a result of the reform measures passed when Kansas received the award referred to a few moments ago, I was invited to 27 of the nations capitals to talk about legislative reform. Most were at the invitation of NCSL.

In every instance, I emphatically stated, and have continued to state until two years ago, that unlike other states, I never did believe I could point to a single instance where I thought campaign contributions in Kansas from PAC's, Corporations or individuals ever corrupted the process or bought a single vote.

However, I now have severe reservations.

For those clients that we represent that wish to make contributions to political campaigns, I consistently caution them to arrive at modest figures, because campaign contributions in Kansas, different than many other states, do nothing more than give you an opportunity to support the candidate of your choice and perhaps better access to that legislator on matters of concern.

The legislation that was originally enacted and subsequently modified has served the state well, in my opinion. However, I believe the time has come that some very substantive changes are necessary. Many groups, many individuals and many organizations have found numerous ways to circumvent the intent of the law and made a mockery of the entire procedure. Most certainly state government financing of campaigns is not the answer as clearly demonstrated by the Federal law.

I am not here today in support of or in opposition to the specifics in HB 2359 that is before you. I am here to respectfully support any legislation that will provide better and more accurate reporting procedures. I have favored legislation that would serve as a deterrent for more public and individual participation in the election process and individual campaigns. I think reasonable legislation can be enacted to achieve those goals without complicating the process to the extent it discourages public participation.

Times have changed and obviously so has the cost of running a campaign. Fifteen years ago, the average House race cost \$1100. In 1978 it was \$2700. In the last election, there are reports of some House races in excess of \$30,000 and Senate races costing twice that amount.

I am not prepared to offer specific figures or specific solutions but again, I respectfully suggest the time has come to consider major renovation of the existing campaign finance act.

I don't know that it is possible given the constitutional concerns to the contrary, but an appropriate solution would be to devise some method to place a lid on maximum expenditures for a campaign. Monitoring and policing would be horrendous. However, we have already determined the average candidate can no longer raise enough money from personal and individual sources in order to compete. Hence, a greater reliance on PAC's and Corporate contributions.

That brings me to the heart of what I consider the major issue to be addressed. What to do about PAC and corporate contributions as well as limits on individuals from sources other than the candidates.

We have all the election statistics in our computer for all legislative races since 1972. We also make it a part of our business to analyze campaign contributions.

The election just passed provide a graphic demonstration of precisely my concerns.

Several PAC's have expanded their capabilities through the use of subsidizing names and organizations to the extent there is virtually no limit on what they can contribute.

Dummy PAC's with fictitious or unrelated names have been created for the purpose of channeling additional contributions to whatever source desireable, for a specific purpose and in astronomical amounts.

Some individuals that have a specific interest in state government or a given political party have found methods of channeling thousands of dollars through their ownership, domination or holdings in several corporations.

As presently structured, there may be a violation of the intent of the law but apparently no violations of existing statutes.

Even if there were violations, it would take several accounting firms to trace all the cross references and source to identify those involved.

We had reports four years ago where one individual through corporate holdings provided over 50% of the financing for two Senatorial campaigns, all very legal as the statutes are presently written.

The same appears to have happened in the last campaign and neither political party had a monopoly on virtue.

In many states such as Louisiana, Texas, Oklahoma and Missouri to name a few, the public perception is that politics is for sale, that elected officials can be bought and elections are won by the highest bidder.

On the other hand, government affairs people and lobbyists that work in these other states will all tell you Kansas has the cleanest government in the United States. I believe we all want to keep it that way.

I can stand before you today and categorically tell you I do not believe there is one single legislator who would willingly or knowingly participate in the corruption of the legislative process or our electoral system.

However, the public perception is just as critical as reality and unless appropriate changes are made in our campaign laws, that potential exists.

As a lobbyist, and particularly one with a high visibility, I am painfully aware of the public perceptions and the media editorials that already believe special interest groups dominate state government or have undue influence. I don't agree but I am concerned.

I am aware, and admonish every member of our firm to constantly be cognizant of the fact that we are subject to the closest scrutiny. We must maintain the highest degree of ethical standards and integrity so as not to adversely reflect on the legislative process. This very definitely includes any involvement in legislative campaigns. We do represent clients that choose to make contributions to candidates of their choice. We always encourage they arrive at denominations of moderate amounts to avoid the possibility of public criticism that I am addressing here today.

In conclusion, I do not want anything I have said here today to be interpreted as being critical of any group or individual, nor do I know of any person or group that is motivated by some illegal or unethical purpose. I do not.

As you go about amending the campaign finance act, I think you should definitely defend the right of PAC's and special interest groups to participate in the election process along with the private and public sector. I personally support some limits on such contributions and support legislation that will absolutely make certain no one can avoid identity or purpose in the reporting procedures.

I, personally, support any legislation that would control the existence of "dummy" organizations or PAC's specifically designed to exceed the limits of campaign contributions that the legislature may establish.

I also still share the convictions that campaign finance laws should not be so restrictive or complicated as to discourage individual participation on behalf of any candidate that a person might choose. Quite the contrary, I believe the legislature has an inherent obligation to encourage individual participation.

I also recognize that campaigns now cost more and will continue to cost more in the future. It is extremely difficult to enact laws that control campaign expenditures and contributions and at the same time avoid those laws that favor only the elite who may be able to finance all of their own campaign. That, too, would not be in the public interest.

Thank you, Mr. Chairman, and I would respond to any questions.

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606
913-273-3600

Testimony on HB 2359
before the
House Elections Committee

by
John W. Koepke, Executive Director
Kansas Association of School Boards

February 23, 1989

Mr. Chairman and members of the Committee, we appreciate the opportunity to appear before you on behalf of the member boards of education and community college trustee members of the Kansas Association of School Boards regarding H.B. 2359.

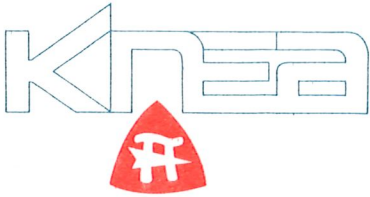
We believe it is inappropriate to add community college trustees and local board of education members to the provisions of the Campaign Finance Act, which presently applies only to candidates for election to state office. Even among those local offices which are proposed to be added to the provisions of the Campaign Finance Act, our members are unique. They are the only elected public officials in the state who receive no compensation for their service.

Given the concerns that have been expressed in some quarters about the difficulty presently being experienced in attracting quality candidates for these unpaid positions, it seems unwise to add to the burdens of these offices by bringing them under the stringent reporting requirements of the Campaign Finance Act. School board and commu-

Attachment II

nity college candidates already fall under the expenditure reporting requirements of K.S.A. 25-901 et. seq. We believe that these reporting requirements are sufficient to meet the public need for information regarding financial support for community college and school board candidates.

Therefore, we would request that community college and school board offices be removed from the proposed definition of "local office" under the Campaign Finance Act. We appreciate your consideration of our concerns, and I would be happy to respond to any questions.



Craig Grant Testimony Before The
House Elections Committee

Thursday, February 23, 1989

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas-NEA. I appreciate this opportunity to visit briefly about HB 2359.

I really only want to speak to two changes that the bill addresses--New Section 1 on page one and Section 9 on page 9 of the bill. Other changes--the make-up of the public disclosure commission, the requirement for local candidates to file reports, and the more frequent reporting schedule--are not sections we would quarrel with today. The other two changes I will speak to in reverse order of listing.

I would reiterate Kansas-NEA's objections to the lowering of political action committee's contributions to \$500. As I indicated in speaking to Representative Shallenberger's bill, we believe that our teachers, who decided to pool their \$7, would be at a disadvantage when compared to the rich individual who could give \$750.

K-NEA also sees problems administering new section 1 of the bill. If a person received \$10 more from individuals than from PAC, would the person have to return the \$10 in the same proportion to all PACs that gave? Which one would be chosen? The last PAC to give? The first one to give? The administrative headaches to a volunteer campaign treasurer seem to outweigh any apparent advantages which might be gained.

It appears to us that the rash of campaign finance act revisions seem to be "killing a gnat with a tank." We are unaware in Kansas of major problems with our campaign finance act. We run a "clean show" in our state. If there are abuses, it certainly is not caused by the \$750 limitation which is so very small compared to other states.

Kansas-NEA does not believe that the Section 1 and Section 9 changes of HB 2359 should be enacted. We thank you for listening to our concerns.

Attachment III



Executive Offices:
3644 S. W. Burlingame Road
Topeka, Kansas 66611
Telephone 913/267-3610

TO: THE HOUSE ELECTIONS COMMITTEE
FROM: KAREN MCCLAIN FRANCE, DIRECTOR, GOVERNMENTAL AFFAIRS
DATE: FEBRUARY 23, 1989
SUBJECT: HB 2359, CAMPAIGN FINANCE ACT

On behalf of the Kansas Association of REALTORS®, I appear today to support some parts of this bill and to oppose some parts.

SUPPORT

First, we support the proposed requirements that candidates for local offices should have to file disclosure reports, the same as candidates for state office. We have never had a problem disclosing to the public what we collect for campaign finance purposes and what we contribute. We are proud of the function we serve, and if our local boards choose to contribute to candidates we have no problem with letting the public know.

Second, we support the annual reporting requirement. Our comptroller actually told me she would love to report annually rather than on the election cycle. Because of the volume of contributors to our political committee, for recordkeeping purposes, she feels it would be easier to report more often because there wouldn't be such a massive amount of entries to report during the primary cycle. We recommend this as an improved administrative procedure.

OPPOSITION

First, we oppose the limitation in New Section 1. We feel this would be extremely difficult to administer. This provision prohibits candidates or candidates from even receiving more from political committees than they do from

Attachment IV

individuals. We are unsure of what definition of "receive" is intended. However, taken in its most common usage, this means that every time a candidate is handed a check from a political committee, they cannot even take it in their hand unless they have collected the same total amount of money from individuals at that time, as they have collected from political committees, including the check being offered. If they do take it and have not collected that same amount of money from individuals, they have committed a class A misdemeanor.

This seems like very harsh punishment to inflict upon citizens trying to run for public office. This requirement would force persons running for office to hire professional accountants to be their treasurer, rather than having volunteer treasurers as is the typical case. It is becoming increasingly expensive to run for office as it is, without the added expense of hiring professional accountants in order to keep from committing misdemeanors.

Second, we oppose the proposed language in Section 9 (c) on page 9. Political committees, as described in this Campaign Finance Act, carry out the same function as the colonists who put on warpaint and dumped the English tea into the Boston Harbor. They organized a group of like-minded citizens to right what they felt was a political wrong. Political committees are groups of citizens who organize to raise money to help elect or defeat candidates running for public office. What could be more American?

While the argument is presented that political committees reduce political participation, we see it from a different point of view. In our experience, political committees increase grassroots participation. More people in the real estate industry participate in the political process by participating in our political committee. They participate because their political awareness about the impact of politics on their livelihood has been raised, and they want to have a say in that process.

We base our fundraising goals, not merely on raising money, but upon encouraging larger number of our members to participate. Our goal the last few years has been to have at least 70% of our 7,700 members participate in RPAC. This means having people contribute who might not normally ever participate in the political process. Over 75% of our members make contributions of \$15 or less to our political committee; we ask only for a fair share contribution of \$10. These kinds of contributions do not match the pictures of big rich political committee contributors which many would like to paint.

We also feel that political committees help candidates get elected, who, without our contributions, would not have the financial capability to get elected. The cost and sophistication of campaigns is increasing, and the ability to run a campaign from only "grassroots" contributions is becoming more and more difficult, particularly in some of the more depressed districts in the state.

We feel that further limitations, such as the one proposed here, will prevent many citizens of the state of Kansas, who are not independently wealthy, from being able to run for elected office. The State of Kansas does not gain anything by narrowing the number of citizens who can run for public office.

We want to point out that, while a political committee may help a candidate finance a campaign, a candidate must still meet their constituents and gain their respect and earn their vote. Political committees do not cast the ballot on election day, individual voters do.

Last we would like to ask, what is broken here? As far as we are aware, there has been no evidence of corruption or wrongdoing by candidates or political committees in Kansas. There is no evidence of an electorate who is unhappy with the existing system. If they were unhappy, we are confident they would be complaining here today as they did over the Congressional pay raise.

If individual legislators feel it is a problem then they can reduce the amount of the contributions they will accept. If they are bothered by it, and cannot make that decision on their own, then perhaps they should take a second look at their decision to run for public office. To reluctantly rely on the old cliché, if it isn't broken, don't fix it. Rather than increase "grassroots" political participation, we feel restrictions such as this will restrict and diminish political participation.

We appreciate the opportunity to testify here today.

Bill Graves
Secretary of State



2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236

STATE OF KANSAS

Testimony of Ron E. Thornburgh
House elections committee
February 28, 1989

HB 2428

In this bill we are asking that several statutes regarding an independent candidate's nomination be changed.

1 - We are asking to raise the number of signatures necessary for an independent candidate to obtain ballot status for a state-wide office. In 1971, in *Jenness v. Fortson*, the United States Supreme Court upheld a requirement that independent candidates demonstrate substantial support in the community by securing supporting signatures amounting to 5% of the total registered voters to obtain ballot access. As you can see, on line 27, we are only asking for 1% of the actual votes for the office of Secretary of State at the last general election. Today, this would require 7,990 signatures.

In the case of the *Libertarian Party of Oregon v. Roberts*, the court stated "To be sure, candidates must demonstrate, through their ability to secure votes at the primary election, that they enjoy a modicum of support in order to advance to the general election." Partisan candidates do not have access to the general election unless they are nominated by their party. We are asking that statewide independent candidates show similar nominating support in order to advance directly to the general election with their nomination petitions.

The state has a compelling interest in preserving the electoral process. Avoiding voter confusion and frivolous candidacies are important reasons to restrict ballot access.

2 - We are asking that the petition requirements for district candidates be lowered from 5% of the total vote for the office of the Secretary of State in such district to 3% of the total vote for the office of Secretary of State in such district. No candidate for a district office should be forced to show support beyond that for which a candidate for a state-wide office should show.

3 - Because this bill would, in some instances, increase the number of signatures required on petitions, we are also asking that the time in which to circulate nomination petitions be extended to 180 days.

Attachment V

LIBERTARIAN PARTY OF KANSAS

DOUGLAS N. MERRITT, CHAIRPERSON

1124 "U" STREET ATCHISON, KS 66002

(913) 367-2035
ATCHISON
(913) 233-4734
TOPEKA
(316) 942-9832
WICHITA

Mr. Kenneth R. King
Room 180-W
State Capitol Building
Topeka, Kansas
66612

February 28, 1989

RE: HOUSE BILL No. 2428

Dear Mr. King;

1. To bring KSA 25-303 in line with the Supreme Court ruling in Elections Board v. Socialist Workers Party, 440 U.S. 173 (1979) you need only add a limiting clause "nor more than 2,500" after the number "25" (see line #16 on the attached suggested amendment).

To approve the bill as written will abolish independent presidential candidates in Kansas. I urge you; don't let that happen.

2. The proposed change on line 33 of HB 2428, to reduce the requirements from 5% to 3% is well recommended but also needs a limiting clause "not to exceed 2,500".
3. The proposed change on line 103 (extending the time to 180 days) is in accord with existing court opinions.

I was surprised this morning to hear the Deputy Secretary explain to the committee his rationale for this bill and not ever speak of the real reason of its presentation, which was the recent court case. One member of the committee explained it afterwards quite succinctly. "They lost a lawsuit and got their feelings hurt".

It seems to me that when we complain of dwindling voter participation we should be looking for ways to open up the system rather than closing it down. We should encourage candidacy and not the other way around. What value is a "level playing field" if one cannot first get into the arena?

Sincerely;


Douglas N. Merritt
Chair, Libertarian Party of Kansas

Attachment (VI)

Suggested ammendment to bring KSA 25-303 in conformance with Elections Board v. Socialist Workers Party, 440 US 173, 99 S.Ct. 983, 59 L.Ed.2d 230 (1987)

NOTE LINE 16

KSA 25-303

This section shall not apply to city and school elections, nor to election of other officers provided by law to be elected in April. All nominations other than party nominations shall be independent nominations. Independent nominations of candidates for any office to be filled by the voters of the state at large may be made by nomination petitions signed by not less than 2,500 qualified voters of the state for each candidate and in the case of governor and lieutenant governor for each pair of such candidates.

Independent nominations of candidates for offices to be filled by the voters of a county, district or other division less than a state may be made by nomination petitions signed by not less than 5% of the qualified voters of such county, district or other division voting for secretary of state at the last preceding general election for each candidate, and in no case to

line 16

be signed by less than 25 [nor more than 2,500] voters of such *** county, district or division, for each candidate.

Independent nominations of candidates for office to be filled by the voters of a township may be made by nomination papers signed by not less than 5% of the qualified voters of such township, computed as above provided, for each candidate, and in no case to be signed by less than 10 such voters of such township for each candidate.

The signatures to such nomination petitions need not all be appended to one paper, but each registered voter signing an independent certificate of nomination shall add to the signature such petitioner's place of residence and post office address. All signers of each separate nominations petition shall reside in the same county and election district of the office sought. The affidavit of a qualified elector who resides in such county and election district or of the candidate shall be appended to each petition and shall contain, at the end of each set of documents carried by each circulator, a verification, signed by the circulator, to the effect that the circulator personally witnessed the signing of the petition by each person whose name appears thereon. The person making such affidavit shall be duly registered to vote. No such nomination paper shall contain the name of a candidate for governor without the same such paper containing the name of a candidate for lieutenant governor, and if it does shall be void. No person shall join in nominating more than one person for the same office, and if this is done, the name shall not be counted on any certificate.

WILLIAM R. BRADY
REPRESENTATIVE, SIXTH DISTRICT
LABETTE, MONTGOMERY COUNTIES
2708 WILSON
PARSONS, KANSAS 67357
(316) 421-6281



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: APPROPRIATIONS
ECONOMIC DEVELOPMENT
JOINT COMMITTEE ON LEGISLATIVE
POST AUDIT

Testimony Before the Election Committee
given by

Bill Brady

a proponent of
HB 2312

February 28, 1989

Mr. Chairman and Members of the Committee:

H.B 2312 would save the state general fund approximately \$200,000 annually. This savings would be accomplished by making the Kansas Public Disclosure Commission a fee agency. By converting the commission to a budget based on a user fee concept the agency would be much more able to keep up with the increasing demand for its services. Some argue that they do not want the role of the Disclosure Commission to increase. Those same people cannot dispute the increasing cost of campaigns. These increasing costs require more time of the commission. Therefore the increasing demand on the commission is not more regulatory authority it is simply more time needed to carry out existing responsibilities.

As a member of Appropriations Committee for three years and a subcommittee member assigned the P.D.C for two of those years I have become more aware that neither the executive or the legislative branch want to allocate precious general fund resources to the Public Disclosure Commission. It is my opinion that the commission needs more autonomy from the group it is required to regulate. Improvements will not happen this year or in year's to come if the funds necessary to pay for these enhancements must come from the general fund.

I would be the first to admit that H.B. 2312 is a radical departure from current practice. However, if it makes you consider the future needs for campaign finance review and how we can best address those needs than it could be perhaps the single most important bill I will sponsor. This committee could decide to accept the user fee concept for partial funding of the commission. The House Appropriations Sub-committee (Vancrum, Turnquist and Solbach) who are currently assigned the P.D.C. budget recommended to the full committee, that a \$100 annual fee be placed on all P.A.C.'s. The fee money would fund an audit position P.D.C. has needed for over a decade. The full committee chose not to approve such a provision until implementing legislation is approved.

Please consider the user fee concept being proposed in H.B. 2312. Not only does the concept promote good public policy, it targets that expense to those who increase the work load on the commission.