

Approved 3-27-89 Date

MINUTES OF THE Senate COMMITTEE ON Elections

The meeting was called to order by Senator Don Sallee at
Chairperson

1:30 ~~am~~/p.m. on March 20, 1989, 19 in room 529-S of the Capitol.

All members were present except:

All members were present

Committee staff present:

- Myrta Anderson, Research Department
- Fred Carman, Revisor of Statutes' Office
- Elizabeth Handke, Committee Secretary

Conferees appearing before the committee:

- Harriet Lang, Kansas Association of Broadcasters
- George Logan, General Manager of WIBW TV
- John Reinhart, Secretary of State Office
- Representative Robert H. Miller
- Representative Henry Helgerson
- Karen McClain France, Kansas Association of Realtors

Others attending: see attached list (attachment 1).

The meeting was called to order by Chairman Sallee at 1:38 P.M.

Harriet Lang, Kansas Association of Broadcasters, appeared before the committee to introduce George Logan, general manager of WIBW TV, who appeared as a proponent of H.B. 2418 (attachment 2). He stated that the purpose of official notices is to acquaint the largest number of residents possible about matters of public importance. We believe that enactment of HB 2418 will enhance that endeavor. Our objective simply is the recognition of the fact that broadcast media advertising can be a powerful tool in informing the electorate of important local and state issues. He then showed a video with different examples of announcements on issues naming the time and places of voting. Senator Bond asked about Section 3, subsection b; since the House floor amendment changed the word shall to may was the subsection necessary? It was agreed that the subsection may not be necessary.

John Reinhart from the Secretary of State office appeared before the committee as a proponent of H.B. 2418 (attachment 3). His testimony stated that by permitting legal advertisements on radio and television, the legislature is recognizing the pervasive influence of these media on our society. Secretary Graves believes, however, that the broadcast of legal advertising should be a supplement to the publication on legal advertising in newspapers. A question was raised about the possible problem with paraphrasing these announcements; concern was expressed that the manner in which they are paraphrased could be advantageous or disadvantageous to the circumstance. John stated that the advertising in the newspaper come directly from the legislature. Mr. Logan also stated that he envisioned the radio and television spots to be produced by the Secretary of State office. Ron Thornburgh, Secretary of State Office, stated that the wording on all Constitutional amendments comes directly from the legislature and that is used for all written publications at this time. Anytime when using broadcasts on radio or television they would stick with that same type of explanatory

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Elections
room 529-S, Statehouse, at 1:30 XX a.m./p.m. on March 20, 1989, 19

statement. Mr. Logan said the key is to encourage people to take part. Senator Rock raised a question about the possibility of the Secretary of State office wanting an issue to fail or pass; possibly the answer to that would be the legislature could determine what paraphrased language should be used in case the media was used. Senator Lee asked why the regulations used for public notice in the newspapers couldn't be used for radio and television. Ron Thornburgh stated he felt the committee's main concern is the explanation of question on local issues. Most local issues will be coming from resolutions from the city council or county board of commissioners and anytime a resolution passed that calls for a special election, they would be forced to write an explanatory statement of yes-no vote along with that resolution. Senator Sallee concluded the hearings on H.B. 2418

Representative Robert Miller appeared before the committee as a proponent of H.B. 2359. Mr. Miller went through the bill brief section by section for the Senators. A question was raised concerning where statewide officials had to file and Mr. Miller replied they had to only file with the Secretary of State and not in every county. Another question was if an out-of-state PAC wanted to contribute to a campaign must they pay the \$100 filing fee. Carol Williams, Public Disclosure Commission, replied that only Kansas registered PAC's have to pay the filing fee. Representative Miller requested action on this bill this year in order to get the rules in place for this election cycle.

Representative Henry Helgerson appeared before the committee as a proponent of H.B. 2359 (attachment 4). He stated that when H.B. 2359 was originally conceived it was attempting to accomplish two major objectives:

- (1.) To limit special interest contribution by PAC's or political parties, and
- (2.) to require additional reporting by local & statewide candidates.

In committee, four provisions of the bill were removed that he urged the Senators to consider.

First, was a provision that whenever a contribution of \$200 or more is made by an individual, his or her occupation shall be listed on the campaign finance report.

Second, to expand the Public Disclosure Commission from five members to seven, and to require the Public Disclosure Commission to hire an executive director.

Third, to place a limitation of \$1000 per election period on all party committees.

Fourth, would require that no candidate or candidate committee may receive more in total contributions from political committees than from individual contributions.

Senator Rock asked about the possibility of putting caps on races and Representative Helgerson replied in that case a Constitutional question would have to be addressed.

Karen France, Kansas Association of Realtors, appeared before the committee to support some parts of H.B. 2359 and to oppose one part but on many parts she was neutral. She supported the proposed requirements that candidates for local offices should have to file disclosure reports, the same as candidates for state office. She

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Elections,
room 529-S Statehouse, at 1:30 XX a.m./p.m. on March 20, 1989, 19

also supports the annual reporting requirements. She opposed the proposed language in Section 8 (c), line 404, on page 11. Political committees are groups of citizens who organize to raise money to help elect or defeat candidates running for public office. *Attachment 5*

Senator Reilly made a motion to approve the minutes of March 13, 1989. Senator Kerr seconded the motion. The motion carried.

The meeting was adjourned by Chairman Sallee at 2:30 P.M.

TESTIMONY
Before the Senate Elections Committee
March 20, 1989

By
George Logan, General Manager, WIBW TV
Government Relations Chairman
Kansas Association of Broadcasters

RE: HB 2418

I am George Logan, general manager of WIBW TV, Topeka and government relations chairman for the Kansas Association of Broadcasters (KAB). The KAB is a state trade association representing 110 radio stations and 20 television stations in Kansas.

We appreciate the opportunity to appear before you in support of HB 2418 concerning the use of radio and television for supplemental notices.

The purpose of official notices is to acquaint the largest number of residents possible about matters of public importance. We believe that enactment of HB 2418 will enhance that endeavor. Our objective simply is the recognition of the fact that broadcast media advertising can be a powerful tool in informing the electorate of important local and state issues.

We are not suggesting that notices be read verbatim as they appear in the newspaper. However, we are suggesting that radio and television would heighten awareness about matters before public bodies. Following my remarks we will preview a couple of radio and television announcements to show how our media might be used.

HB 2418 if enacted would allow any public official who is required by law to publish official notices, to supplement newspaper notices with radio and television, if they feel it would be in the public interest.

The bill states that only the time, place and nature of the notice
Elections
March 20, 1989
Attachment 2

may be included in the broadcast announcement, so these announcements could not be used by any candidate for political gain.

Stations would be required to keep a copy or transcript of the notice for public inspection for a period of six months; and proof of performance by affidavit would be required.

Radio and television stations in Kansas reach virtually every man, woman and child in the state on a daily basis. It seems logical to us that our media be used as a supplement to newspapers in informing the public and increasing awareness of important local and state issues.

With your permission Mr. Chairman, we would like to take a few minutes to show how radio and television could be used, by playing a few prospective announcements.

We will be happy to respond to questions. Thank you for your consideration.

Elections
3-20-89
2-1

Bill Graves
Secretary of State



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

STATE OF KANSAS

SENATE ELECTIONS COMMITTEE
March 20, 1989

Testimony of
John Reinhart
Office of the Secretary of State
on House Bill 2418

Secretary of State Bill Graves recommends favorable passage of House Bill 2418.

By permitting legal advertisements on radio and television, the legislature is recognizing the pervasive influence of these media on our society. Secretary Graves believes that H.B. 2418 is a step toward a better informed electorate.

Secretary Graves believes, however, that the broadcast of legal advertising should be a supplement to the publication of legal advertising in newspapers.

Elections
March 20, 1989
Attachment 3

HENRY M. HELGERSON, JR.
REPRESENTATIVE, EIGHTY-SIXTH DISTRICT
4009 HAMMOND DRIVE
WICHITA, KANSAS 67218-1221



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER APPROPRIATIONS
ECONOMIC DEVELOPMENT
ELECTIONS

When originally conceived H.B. 2359 was attempting to accomplish two major objectives:

- (1.) To limit special interest contribution by PAC's or political parties, and
- (2.) to require additional reporting by local & statewide candidates.

It is our belief that by implementing these changes we will strengthen the system which will result in greater accountability of candidates & elected officials.

In committee, four provisions of the bill were removed that I urge you to consider.

First, was a provision that whenever a contribution of \$200 or more is made by an individual, his or her occupation shall be listed on the campaign finance report. This is similar to present federal requirements.

Second, to expand the Public Disclosure Commission from five members to seven, and to require the Public Disclosure Commission to hire an executive director.

Third, to place a limitation of \$1000 per election period on all party committees. Presently there is no limitation.

Fourth and finally, would require that no candidate or candidate committee may receive more in total contributions from political committees than from individual contributions.

Again, thank you for your consideration.

I would be happy to answer any questions.

Elections
March 20, 1989
Attachment 4

TOP TWENTY POLITICAL ACTION COMMITTEE CONTRIBUTORS
TO KANSAS LEGISLATIVE CANDIDATES

1988

Political Action Committee	Total Contributions Reported Given to Legislative Candidates
Kansas Realtors PAC	\$94,900
Kansas PAC (KNEA)	94,375
LEAGG (Kansas Trial Lawyers)	81,060
Kansas Medical PAC	75,700
Southwestern Bell Kansas Employees PAC	56,400
KPL Gas Service Employees PAC	53,250
House PAC	50,800
Kansas Dental PAC	44,350
Kansas Contractors Association PAC	42,150
Kansas Optometric PAC	39,125
Kansas Bankers Association PAC	35,333
Kansas Senate PAC	30,600
Political Action Council of Kansas (PACK)	29,048
Committee for Kansas	28,500
HallPAC-Kansas	28,200
Kansas League of Savings PAC	26,350
KANSAS BEER PAC	25,624
United Telephone Company of Kansas	24,750
Kansas Amoco PAC	24,125
Kansas Hospital Association PAC	23,998

Elections
3-20-89
4-1

Kansas campaigns cost \$4.1 million

By John Petterson
Kansas Correspondent

TOPEKA — Candidates for seats in the Kansas House and Senate collected about \$4.1 million to run their campaigns last year, the Kansas Public Disclosure Commission reported Wednesday.

The collections were 52.2 percent over the amounts collected in 1984, the last time both House and Senate seats were up for grabs.

The commission said that in 1988, House candidates collected \$2.3 million and Senate candidates added \$1.8 million to the total.

During last year's campaigns, the political action committees wrote checks totaling \$1.56 million to candidates for the Kansas House and Senate. In 1984, PAC contributions hit \$1.11 million or about \$460,000 below the 1988 level.

PACs led the parade of political contributors last year with indi-

Here are top PAC contributors to candidates

Here is a list of the 10 political action committees that contributed the most money to legislative candidates last year:

Kansas Realtors PAC, \$94,900; Kansas PAC (Kansas-National Education Association), \$94,375; LEAGG (Kansas Trial Lawyers), \$81,060; Kansas Medical PAC (Kansas Medical Society), \$75,700;

Southwestern Bell Kansas Employees PAC, \$56,400; KPL Gas Service Employees PAC, \$53,250; House PAC (House Republicans), \$50,800; Kansas Dental PAC (Kansas Dental Association), \$44,350; Kansas Contractors Association PAC, \$42,150; and Kansas Optometric PAC, \$39,125.

vidual donors in second place. The 1984 collection total was about \$2.7 million or \$1.4 million less than in 1988. During the 1984 campaigns, House candidates collected \$1.35 million and Senate candidates brought in \$1.34 million.

In both 1984 and 1988, legislative candidates relied most heavily on contributions from political action committees.

In 1984, House candidates re-

ceived almost 49 percent of the contributions from the PACS while Senate candidates got about 33.6 percent of their money from them.

Four years later PAC contributions to House candidates dropped as a percentage of total contributions to 42.37 percent. Senate candidates reported PAC contributions accounted for 32.6 percent of their collections.

Elections
3-20-89
4-2



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

TO: THE SENATE ELECTIONS COMMITTEE
FROM: KAREN MCCLAIN FRANCE, DIRECTOR, GOVERNMENTAL AFFAIRS
DATE: MARCH 20, 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 one part, on many parts we are neutral and I will not be making any comments.

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.

Third, we oppose the proposed language in Section 8 (c), line 404, on page 11. 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

Elections
March 20, 1989
Attachment 5

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.

Elections
3-20-89
5-1

We feel that the concept of 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, gain their respect and earn their vote. Political committees do not cast the ballot on election day, individual voters do.

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. 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.

Elections
3-20-89
5-2