

Approved 4-1-91  
Date

MINUTES OF THE House COMMITTEE ON Elections

The meeting was called to order by Representative Tom Sawyer at  
Chairperson

9:15 a.m./p.m. on Thursday, March 28th, 1991 in room 521-S of the Capitol.

All members were present except: Representative Mary Jane Johnson

Committee staff present:

Pat Mah, Research  
Arden Ensley, Revisor  
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Senator Wint Winter  
Senator David Kerr  
Jim Edwards, KCCI  
Michael Woolf, Executive Director of Common Cause/Kansas  
Craig Grant, KNEA

The House Elections Committee was called to order at 9:15 a.m. by Chairman Tom Sawyer on Thursday, March 28th, 1991.

The Chair opened hearings on SB 153, concerning campaign finance, prescribing limitations upon contributions.

The first conferee to appear before the committee was Senator Wint Winter, one of the sponsors of the bill. This bill would amend current law to prohibit a candidate or party committee from accepting campaign contributions by PAC's, corporations, partnerships, trusts, associations and organizations. In addition, the bill would prohibit a candidate or a party committee, except for a state party committee, from accepting a contribution from a national party committee and would reduce the aggregate amount that can be contributed to a candidate by an individual to \$250.00 for each primary or general election. He stated these changes were necessary to restore public trust and to lessen voter apathy. He provided a chart for the committee which showed the dollar amounts contributed by PAC's to incumbents and to challengers and the total contributions from all sources given to both incumbents and challengers. (Attachment 1)

Senator David Kerr next appeared before the committee and is also a co-sponsor of the bill. He stated the #1 problem, as he saw it, was voter apathy and the public perception of their lack of power to influence legislation. He further stated that taking financial backing from special interest groups and giving it back to the people would be a dramatic step in restoring the public trust.

Following questions by the committee to the two proponents, the chair called for testimony from the opponents.

Jim Edwards, Director of Chamber and Association Relations for the KCCI, appeared in opposition to SB 153. He stated that effective campaign finance could be defined as a method which promotes active participation by persons wanting to make contributions and then requiring an adequate reporting of the transactions. He felt Kansas has both of these presently and encouraged the committee to oppose this bill. (Attachment 2)

The Chair next called on Michael Woolf, Executive Director of Common Cause/Kansas. He urged the committee to reject this bill and support one or both of the options they recommended which are: 1) expenditure limits tied to partial public funding (such as in HB 2169) or 2) aggregate PAC limit and a ban on direct corporate and union contributions such as recommended in HB 2454. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Elections,  
room 521-S, Statehouse, at 9:15 a.m./p.m. on Thursday, March 28th, 1991.

The next conferee was Craig Grant, KNEA, who spoke in opposition to this bill. He stated that political action committees give the "little people" a chance to combine their small contributions in order to compete with the rich people to elect good candidates and therefore opposes SB153 which would limit their right to join collectively. (Attachment 4)

Following this testimony, and questions by the committee, the Chair declared hearings closed on SB 153.

The House Elections Committee was adjourned at 10:30 a.m.

The next meeting of the House Elections Committee will be Friday, March 29th, 9:00 a.m. in Room 521-S.



322 House candidates - 1990 Election (from Ks. Public Disclosure Comm)

(A)

3,693 - <sup>number of</sup> PAC contributions given to <sup>House</sup> incumbents

54%

\$740,365.53 - total PAC contributions given to <sup>House</sup> incumbents

\$1,364,678.01 - total contributions from all sources to <sup>House</sup> incumbents

1,510 - <sup>number of</sup> PAC contributions given to non-incumbents

22%

\$349,161.83 - total PAC contributions given to non-incumbents

\$1,349,784.77 - total contributions from all sources to non-incumbents

(B)

3,882 - <sup>number of</sup> PAC contributions given to <sup>House</sup> winners

1,321 - <sup>number of</sup> PAC contributions given to losers

\$789,593.91 - total PAC contributions given to <sup>House</sup> winners

~~\$300,933.45~~ - total PAC contributions given to losers

\$1,619,661.19 - total contributions given to House winners

\$994,801.59 - total contributions given to losers

(C)

\$1,089,527.36 - total PAC contributions given to all House candidates

\$2,614,462.78 - total contributions given to all House candidates

• 40% of Contrubs from PAC's

House Elections Committee  
Attachment 1

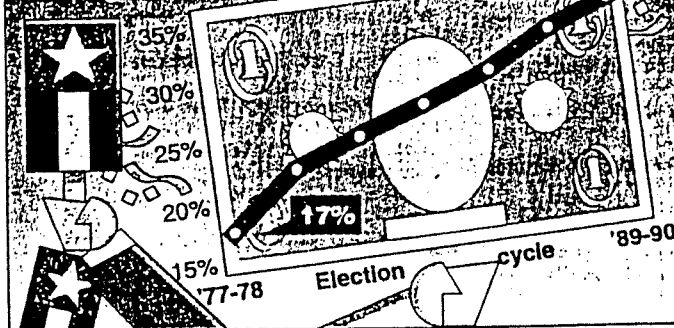
4-1-91

### USA SNAPSHOTS®

A look at statistics that shape the nation

#### PAC contributions climb

President Bush has called for the end of political action committees, which have channeled more than \$700 million to Congressional candidates since 1976. PAC percentage of total campaign contributions:



Source: Federal Election Commission

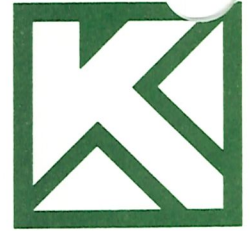
By Marty Baumann, USA TODAY

Went Winter

# LEGISLATIVE TESTIMONY

## Kansas Chamber of Commerce and Industry

500 Bank IV Tower One Townsite Plaza Topeka, KS 66603-3460 (913) 357-6321



A consolidation of the  
Kansas State Chamber  
of Commerce,  
Associated Industries  
of Kansas,  
Kansas Retail Council

SB 153

March 28, 1991

### KANSAS CHAMBER OF COMMERCE AND INDUSTRY

Testimony Before the  
House Elections Committee

by

Jim Edwards  
Director of Chamber and Association Relations

Mr. Chairman and members of the Committee:

I am Jim Edwards, Director of Chamber and Association Relations for the Kansas Chamber of Commerce and Industry. I appreciate the opportunity to visit with you today and oppose SB 153, a measure which would eliminate political action committees.

The Kansas Chamber of Commerce and Industry (KCCI) is a statewide organization dedicated to the promotion of economic growth and job creation within Kansas, and to the protection and support of the private competitive enterprise system.

KCCI is comprised of more than 3,000 businesses which includes 200 local and regional chambers of commerce and trade organizations which represent over 161,000 business men and women. The organization represents both large and small employers in Kansas, with 55% of KCCI's members having less than 25 employees, and 86% having less than 100 employees. KCCI receives no government funding.

The KCCI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.

This bill carries with it a message that things are not right in Kansas government. After all, people usually don't want to correct something that is not broken.

Consequently, you are telling the thousands of business persons, union members, teachers and concerned citizens that their contributions to PACs are wrong and they should make direct contributions. Imagine the folks that make \$25, \$35, \$65 or similar contributions. Will they go out and contribute that directly? Probably not. While KCCI's PAC is far from being the largest, they are typical in that the average contribution from its supporters is about \$65.

We would urge the legislature to be very cautious in addressing this issue. I don't need to remind you that it is expensive to run for office. Advertising is not cheap and yard signs just don't mysteriously appear. They both take dollars and in many districts, many dollars.

Effective campaign finance could be defined as a method which promotes active participation by persons wanting to make contributions and then requiring an adequate reporting of the transactions. Kansas has both of these presently which is why we would encourage the legislature to not try to fix something that is not broken.

Thank you for the opportunity to appear before you today and I would stand for questions.



**COMMON CAUSE / KANSAS**

701 Jackson, Room B-6 • Topeka, Kansas 66603 • (913) 235-3022

Testimony to the House Elections Committee  
In Opposition to Senate Bill 153  
by Michael Woolf, Executive Director

Thank you Mr. Chairman, members of the Committee, for allowing me to speak in opposition to Senate Bill 153.

On March 8th, I passed around a memorandum to the Senate and to this Committee outlining our reasons for opposing this bill. While that memo did not address amendments added to the Bill on the Senate floor, our objections to the proposal still hold true, even with the Senate amendments.

If SB 153 becomes law, special interest group contributions will still get into campaigns through independent expenditures, bundling, and other loopholes. In addition, there are built-in advantages to certain kinds of candidates with this type of system. It would strongly favor wealthy candidates, candidates with wealthy friends or colleagues, and candidates who agree with the positions held by wealthy individuals.

While the supporters of SB 153 hope that this proposal will make the system more equitable to challengers, there is no guarantee that that will occur.

Common Cause readily acknowledges that incumbents get the majority of PAC money available. However, incumbents also receive the majority of individual contributions. If SB 153 becomes law, incumbents will simply get a higher percentage of the individual contributions, and the financial inequities will still exist.

The only major contributing group that gives more money to challengers than incumbents is political parties. Since SB 153 also bans special interest groups from giving to political parties, the one area of minor advantage to challengers will likely disappear.

Mr. Chairman, I would also like to address the two major amendments made on the Senate floor.

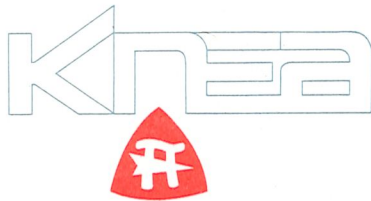
First is the limit of \$250 for contributions to any candidate. While this limit may be appropriate for legislative candidates, it may be so low that it prevents a person from making an effective challenge to an incumbent statewide officer.

The second amendment limited the amount a candidate could put into his or her own campaign to 5 percent of the total amount spent on the campaign. This is not only unworkable, it is clearly unconstitutional, and it was recognized as such by the Senate.

In closing, Mr. Chairman, Common Cause urges this Committee to reject SB 153 and support one or both of the options we have recommended:

1. Expenditure limits tied to partial public funding, such as that in HB 2169; or
2. An aggregate PAC limit and a ban on direct corporate and union contributions like you recommended in HB 2454.





Craig Grant Testimony Before The  
House Elections Committee  
Thursday, March 28 1991

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas-NEA. I appreciate this opportunity to visit with the committee about SB 153.

Kansas-NEA opposes SB 153 which would eliminate political action committee contributions to any candidate or a party. As an alternative, we would support the compromise as developed in HB 2454. As I indicated in previous testimony, I believe we are overreacting in Kansas to the horror stories from the federal level. We limit political action committees' contributions presently more than most states do. This "reform", along with other "reform" measures, could easily limit candidates to only rich people or friends of rich people.

I explained to this committee previously that our political action committee, like so many others, is a chance for the "little people" to combine their small contributions in order to compete with the rich people to elect good candidates. Our \$7 contribution would likely not be contributed at all if not through a combined effort. We involve our members in the political process and seek their approval in the decisions made. SB 153 would effectively end that involvement in the process.

Kansas-NEA believes that our 24,000 educator members are not evil people, that the political action committees they form are not evil, and the candidates who agree to take their contributions are not evil. As a result, we oppose SB 153 which would limit their right to join collectively. Thank you for listening to our concerns.

House Elections Committee  
Attachment 4  
3-28-91