

Kansas Press Association, Inc.

Dedicated to serving and advancing the interests of Kansas newspapers

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Feb. 10, 2015

To: Sen. Ralph Ostmeyer, chairman of the Senate Federal and State Affairs Committee, and committee members

From: Doug Anstaett, executive director, Kansas Press Association

Re: SB 98

Mr. Chairman and members of the Committee:

I am Doug Anstaett, executive director of the Kansas Press Association.

My association's members wholeheartedly support the language in Senate Bill 98 because — once and for all — it will place limits on what could be charged for access by the public and press to the records of what government is doing.

Now, we are at the mercy of some public bodies that charge rates that are so outrageous that public records are closed by default because no one — including many of the newspapers in Kansas — can afford to pay the freight. While we have an attorney general's opinion about what is a reasonable copy charge, nothing else is there to guide public officials.

Furthermore, the charges aren't consistent from jurisdiction to jurisdiction, with many agencies never charging a dime for record requests while others choose to gouge the public with high per-hour charges for reviews that are often unnecessary.

A public record is, by state law, the property of the citizens of Kansas. However, in hearing the horror stories from my members, you would conclude these records are the personal property of the employees of public agencies, available only after reporters and ordinary citizens jump through hoop after hoop to try to get what is rightfully theirs.

Public records provide the written record of what government has done and plans to do. Citizens of the state of Kansas have a right to review those records without being charged an arm and a leg for it.

Senate Bill 98 tries to bring some sanity to this often perplexing situation. Placing limits on what can be charged and whose salaries can be included in the research costs is sorely needed.

One of the mantras of conservatives in recent years has been that government has become too large. We agree. When government can thumb its nose at the public and make it difficult to learn about what that government is doing, it has become too large.

It's time to trim the sails of government and once again have our public officials realize they work for the public, not the other way around.

The Kansas Open Records Act was not written to create a revenue stream for governmental agencies. It was to provide public access to the public's business. SB 98 helps accomplish the statute's original intent.

Thank you.