

**Testimony before House Committee on Elections
on House Bill 2425
by Carol Williams, Executive Director
January 30, 2012**

The Governmental Ethics Commission takes a neutral position on HB 2425 as long as the Commission receives adequate funding to implement and administer the provisions of HB 2425.

House Bill 2425 will bring all Kansas school board candidates under the Campaign Finance Act. Currently, only candidates who run for school board in the city of Wichita fall under the Act. From information obtained from the Kansas Association of School Boards, approximately 1,000 school board members will be up for election in the Spring of each odd numbered fiscal year. The Commission has no way of knowing how many candidates vie for each of these positions. Even if none of these school board members have an opponent, 1,000 receipts and expenditures reports or affidavits of exemption would be filed before the primary election. Those candidates who receive or spend more than \$500 would be required to file an additional report before the general election and an additional wrap-up report on January 10 of the following year. At a minimum, one part-time employee, retained full-time for a period of six months, every odd numbered year would be required to process these candidates, their treasurers, monitor the filings, and review the receipts and expenditures reports filed.

House Bill 2425 would also require every committee, club, organization, municipality or association that promotes the success or defeat of any question submitted election in Kansas to file receipts and expenditures reports pursuant to the Campaign Finance Act. From data obtained from the Kansas Association of School Boards, it appears there were 27 school bond questions submitted elections in 2010. The Secretary of State's office indicates there were 28 special elections held in 2010. There is no data on the number of question submitted elections that occur on the same dates as regular elections so the 28 special elections which were held in 2010 could easily be doubled since 2010 had both a primary and general election. It is impossible to predict how many committees would be formed to support or oppose these question submitted elections. It is not possible to predict how much additional funding would be required for printing, postage and staff time to administer and enforce this new provision.

I believe a technical change should be made to the bill to require the due dates for the

filing of receipts and expenditures reports to coincide with each question submitted election if the intent of this legislation is transparency. My understanding is these elections can occur any day of any year. Therefore, many of these elections will not coincide with the primary or general elections held for state and local candidates, which the bill currently ties the reporting filing dates to.