

MINUTES OF THE SENATE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 9:30 a.m. on January 29, 2009, in Room 446-N of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Office of the Revisor of Statutes  
Ken Wilke, Office of the Revisor of Statutes  
Martha Dorsey, Kansas Legislative Research Department  
Reed Holwegner, Kansas Legislative Research Department  
Carolyn Long, Committee Assistant

Conferees appearing before the committee:

Jean Schodorf, Kansas Senator  
Diane Gjerstad, Wichita Public Schools  
Sue Storm, Legislative Coordinator, State Board of Education

Others attending:

See attached list.

Staff explanation of **SB 71 - Question submitted elections; new reporting requirements**, indicated this bill amends 25-90-1 with the addition of language requiring detailed accounting of receipts and expenditures showing from whom such moneys or property were received, specific purposes for each payment and the exact nature of the service rendered before the second day preceding the election for the period beginning 12 days before the election and ending three days before the election.

Senator Schodorf, speaking in favor of the bill (Attachment 1), stated that in addition, contributions of \$300 or more would be reported.

Senator Wagle asked if this would mirror the current law for state legislators. Staff replied that this was not entirely the case and was the reason for the addition of three (3) additional days. The Chair then directed the Revisors office to please revisit the language in this bill and incorporate clarification the manner in which school districts report, who oversees such reporting, advisory elections, and the areas of education vs advocacy regarding school boards.

The Chair thanked Senator Schodorf for appearing.

The Chair then recognized Diane Gjerstad, Wichita Public Schools, and in testifying in favor of **SB 71** re-emphasized that the laws regarding school districts are very strict; they may only educate by simply giving facts, not encouraging the vote in either direction (Attachment 2).

There being no further conferees the hearing on **SB 71** was closed.

The hearing on **SB 43—State board of education; campaign contributions; limitations** was opened.

Sue Storm, Legislative Coordinator, State Board of Education, appeared in favor of this bill. Simply stated, this bill would increase the current limit on contributions from \$500 to \$1,000. The rationale being that a candidate for the State Board of Education has an area of responsibility approximately four (4) times larger than that of a Kansas Senator (Attachment 3).

Written testimony in support of **SB 43** was submitted by:

Bill Waganon, (Attachment 4)

There being no further questions from the committee, the hearing on **SB 43** was closed.

Chairman Schmidt called for final action on **SB 43—State board of education; campaign contributions; limitations**.

CONTINUATION SHEET

Minutes of the Senate Ethics And Elections Committee at 9:30 a.m. on January 29, 2009, in Room 446-N of the Capitol.

Senator Brunghardt moved, Senator Kultala seconded, to recommend **SB 43** for passage. Motion carried.

The meeting was adjourned at 10:15 a.m. The next meeting is scheduled for February 4, 2009.

# SENATE ETHICS AND ELECTIONS COMMITTEE GUEST LIST

DATE: January 29, 2009

NAME	REPRESENTING
Carol Williams	KGEC
Judy Malar	KGEC
Lucy Horn	KSBOE
BRYAN A. CASKEY	SEC. OF STATE
Val DeFever	Schools for Quality Ed

STATE OF KANSAS

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TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

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CORRECTIONS AND JUVENILE JUSTICE  
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CONFIRMATION OVERSIGHT  
ARTS AND CULTURE RESOURCES  
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Senate Bill 71

This bill was requested by the local Board of Education for USD259. This bill would mirror the campaign finance law for candidates when reporting expenditures and contributions. It would require committees which are supporting or opposing ballot initiatives for a city, unified school district, community college, township or county election to report all expenditures and contributions collected and expended up to 12 days before the election and report on or before the 8th day before the election.

If additional contributions were collected on day 11 through the Wednesday before the primary or general election of \$300 or more, then those contributions would also be reported before the election on the following Thursday before the election.

The change to mirror campaign finance for candidates for ballot initiatives would continue to improve transparency in elections and help voters to have campaign information about both sides before the election so they can make their best, educated vote.

A handwritten signature in cursive script that reads "Jean Kurtis Schodorf".

Jean Kurtis Schodorf  
State Senator, District 25

Senate Ethics and Elections Cmte

Date 1-29-2009

Attachment 1



## Senate Ethics and Elections Senator Schmidt, Chair

### S. B. 71 – Campaign Disclosure

*Presented by Diane Gjerstad  
on behalf of Mr. Lynn Rogers*

January 28, 2009

Madame Chair, members of the Committee:

Today I am presenting testimony for Wichita Public Schools Board President Lynn Rogers, who is unable to attend due to out-of-state work obligations. As you know, school board members in Kansas are not paid, so keeping ones 'paying' job is quite important! Mr. Rogers would like to stress that he feels S. B. 71 is an important topic for discussion.

S. B. 71 would require campaign committees promoting or opposing ballot questions (such as school bond elections) report expenditures and receipts on a schedule parallel with legislative campaign reporting.

Under current law, Wichita's recent school bond election was held on November 4<sup>th</sup> but reports showing who supported or opposed the issue were not required until December 31<sup>st</sup>.

Mr. Rogers believes it is important for everyone to know who advocates one way or the other – just as your legislative campaign had to report and just as school board candidates must disclose finances and contributors. S.B. 71 would level the playing field and require the same reporting for ballot questions by simply moving the reporting date from December 31<sup>st</sup> to a fixed time prior to the election.

Mr. Rogers believes S. B. 71 is in the public's interest. If the issue is important enough for elected boards to put on the ballot, then it is important enough for supporters and opponents to disclose their names prior to the election.

On behalf of Mr. Rogers, I would like to thank you, Madame Chair, for this hearing and would urge the committee's favorable consideration of S. B. 71.

Senate Ethics and Elections Cmte  
Date 1-29-2009  
Attachment 2



## Division of Fiscal and Administrative Services

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January 29, 2009

TO: Senate Ethics and Elections Committee  
FROM: State Board of Education  
SUBJECT: Senate Bill 43

My name is Sue Storm, Legislative Coordinator of the State Board of Education. I appreciate the opportunity to appear before this Committee on behalf of the State Board.

The State Board of Education supports Senate Bill 43. Currently, members of the State Board are limited to contributions of \$500 per political committee or person for each primary and general election (same as state representatives). This bill, if enacted would allow members of the State Board to be treated like state senators and allow them to receive campaign contributions of \$1,000 per political committee or person.

Each State Board district is equivalent to four senatorial districts. Due to the size of the State Board districts, it seems more appropriate and more logical to follow senatorial guidelines in order to adequately campaign within their respective districts.

Obviously, a race for the State Board can be very expensive if the candidate intends to really communicate with the voters. Speaking from my personal experience, I found that the cost of one mailing for the State Board race was equivalent to at least seven mailings in my prior campaigns for the House or Representatives. I raised a fair amount of money in my Board campaign, but was still able to do only one very targeted mailing to the voters.

The State Board of Education asks you to pass SB 43 out of this committee.

h:fn-test:Test--43

Senate Ethics and Elections Cmte  
Date 1-29-2009  
Attachment 3

**From:** <bill.wagnon@washburn.edu>  
**To:** <carolyn.long@senate.ks.gov>  
**Date:** 1/27/2009 5:25 AM  
**Subject:** SB43  
**Attachments:** bill.wagnon.vcf

Please share my views on SB 43 with the Senators.

As a former member of the State Board of Education, I am painfully aware of the difficulty board members have in raising campaign funds. Part of the problem lies with the bottom of the ticket board races have. In Counties like Sedgwick, they are listed, and according to statute, after pages after pages of district judges. That means that board races have such a low visability that fund raisers don't see them as important. Yet because the state board has "self executing powers", they constitute the 4th branch of government. The best people need to run for this office.

Perhaps raising the campaign finance limits on donations to parity with Senators would encourage candidates and fatten their war chests. Afterall, each state board member has four times the constituency of a state senator and spreading limited funds over a larger distict can't hurt.

SB 43 would create that parity and be a step in the right direction.

Bill Wagnon

**Senate Ethics and Elections Cmte**  
**Date** 1-29-2009  
**Attachment** 4