

Senate Committee on Federal and State Affairs
SB 373 – Taxpayer-funded lobbying
WRITTEN ONLY - Proponent Testimony
James Franko, President
12 February 2024



Chairman Thompson and Members of the Committee:

Thank you for the opportunity to offer written testimony in support of SB 373. As with many questions before the legislature, if taxpayers dollars are at stake then taxpayers have a right to understand the justification and results of their “investment.” This is a simple issue of transparency.

There are already many transparency measures when it comes to public lobbying. You’ll certainly be reminded of many today. Disclosures of public funds, lobbying client disclosures and the like are important and necessary.

The simple truth is that different entities across this state have been concerned about taxpayer funded lobbying for many years. Indeed, several states have considered some form of the legislation you are considering. While this is not an Open Records issue, I feel that part of the Kansas Open Records Act is relevant to the underlying idea before you today;

K.S.A. 45-216 (a) It is declared to be the public policy of the state that public records shall be open for inspection by any person unless otherwise provided by this act, and this act shall be liberally construed and applied to promote such policy.

Government operations should be transparent and open to question by taxpayers. Hence, the idea, captured in the bill, that officers or employees of a governmental entity would still be able to engage with the legislature.

We polled on this issue several years ago and 70% of Kansans say that cities, counties and school districts should not even be allowed to use taxpayer money to lobby; only 16% said yes. Admittedly, the poll is older but I see no reason to believe the sentiment has changed.ⁱ

I would also point out that the “Following the Money 2019” report from the U.S. Public Interest Research Group ranks Kansas’ state economic development spending transparency ranking as a “F.”ⁱⁱ Again, this may not deal directly with the issues before you today—although local government lobbying on economic development projects would be relevant—this report gets to the desire for taxpayers to understand how their tax dollars are being spent.

Thomas Jefferson wrote in the Virginia Statute for Religious Freedom that, “...to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical...” On one hand, our republican and federal/local form of government should be sufficient protection that the concerns of a local government would be appropriately brought before higher levels of government. On the other, ensuring that those issues are brought before other levels of government in an increasingly transparent way seems eminently appropriate. Thank you for your consideration.

ⁱ See Question 4: <http://www.surveyusa.com/client/PollReport.aspx?g=f3f6856d-9c4e-4033-8284-4f5f54cc0b17>

ⁱⁱ <https://pirg.org/edfund/resources/following-the-money-2019/>