



TESTIMONY ON HB 2011

February 1, 2017

PROPONENT

HB2011 is part of a nationwide, bipartisan reform movement seeking to counter the alarming and exponential growth of “dark money” special interest groups in our elections. Dark money is primarily associated with 501(c)(4) organizations which can take and spend unlimited sums and whose donors and the specifics of its expenditures are secret. Contributing to this phenomena, PACs (which must report contributions and expenditures, but can take unlimited contributions and make unlimited expenditures) often network with 501(c)(4)s and other groups to form vast integrated operations hidden from public view.

The danger is, as one operative of these groups stated, “the candidate might as well stay home, we control their message.” The influence, sophistication and financial power of these networks – conservative and liberal- should be a major public policy concern.

The premise of the reform movement is that there is little that can be done about the dark money groups, but they can be countered by enacting provisions that strengthen those organizations in politics that are transparent and accountable to voters- namely, candidate committees and political parties. Giving them access to more funding is one way to strengthen them.

Bill Section 1: This permits a donor to simultaneously contribute to the candidate’s primary and general election, while maintaining the contribution cap for the primary and general cycles. This is essentially the system long-used in federal elections.

The problem this provision seeks to redress is that after a successful contested primary election, it often takes candidates 3-5 weeks to refill their campaign accounts with funds with which to conduct the general election campaign. This August – September gap is often exploited by dark money groups to define the candidates before they can effectively respond.

Bill Section 2:

(a)(1-3) These increases in contribution limits enable candidates to raise more funds from their donor base. The contribution caps have not been increased for decades and have not kept pace with the increases in the cost of campaigning- mailing, social media, phone, TV, radio and other techniques.

(a)(4): Increasing the contribution cap for county-level races in large counties is imperative. These districts are often far larger than a state senate district but have tiny contribution caps. These elected officials have control over immense budgets and their elections are highly susceptible to dark money special interest group intervention. Increasing the contribution limit will help to level the electoral playing field.

(d):

- 1st & 3rd Para: few people or organizations make the current maximum contribution to a state party, but those who desire to can easily work around the current contribution limit. It would vastly simplify matters to just increase the contribution limit.
- 2nd Para: This provision is somewhat irrelevant, state political parties use both federally and state regulated funds. A national party, as a matter of practical reality, will never contribute state-regulated funds to a state party because they can already contribute unlimited federally-regulated funds to a state party.

(g): There are constitutional concerns with the ability of state government to limit a state party's ability to decide for itself how to use its own funds in a primary election – the process the party uses to select its own candidates.

But since the KS Republican Party's current operating rules are far stricter than the provisions of this paragraph, we do not oppose it.