

Testimony

Presented by the

League of Women Voters of Kansas

To the Senate Ethics and Elections Committee

In support of S.B. No. 563

March 10, 2010

Good Morning, Senator Schmidt and members of the Senate Ethics Committee, thank you for this opportunity to testify in support of Senate Bill 563.

My name is Kay Hale. I am here to represent the League of Women Voters of Kansas. The League is a national, non-partisan political organization that has been in existence for 90 years. There are eight local chapters and almost 700 members in Kansas.

One of the League's public policy positions is to advocate for better methods of financing political campaigns. Specifically we seek to:

- Ensure the public's right to know,
- Combat corruption and undue influence,
- Enable candidates to compete more equitably for public office, and
- Promote citizen participation in elections.

According to a recent ruling by the Kansas Governmental Ethics Commission, the Kansas Campaign Finance Act does not apply to judicial retention elections. The act applies only to state officers and candidates to state office.

The League of Women Voters is very concerned about this oversight in the Kansas Campaign Finance Act. We are concerned because, as it currently stands, judicial retention campaigns have no spending limitations or reporting responsibilities. With no spending limitations, there exists a strong possibility that large amounts of out-side money from special interest groups would flow into Kansas. Furthermore,

we believe that negative smear campaigns would become a reality if contributors are not required to take responsibility for retention campaign ads. We also question that qualified individuals will want to serve as judges in the face of unlimited spending on retention campaigns.

We believe that this situation jeopardizes the real and perceived fairness of our Kansas Court System.

“National and state public opinion surveys repeatedly confirm that sizable majorities of voters believe that campaign contributions to elected judges have more than a little influence on judicial decision making.” Brennan Center for Justice, *Public Funding of Judicial Elections*, Deborah Goldberg.

Public trust and confidence in our courts, the belief that all who come before our courts will be heard, be given a fair and impartial hearing, is the foundation of our justice system. We are fortunate that the state of Kansas has implemented the Kansas Commission on Judicial Performance. We believe that judicial retention elections should draw more upon performance evaluation of judges rather than campaign ads that focus on a particular issue. Judges must decide each case on its merits, not on the basis of political ideology or a campaign contribution.

The League supports S.B. No. 563 and the addition of judicial retention election provisions of the Kansas Campaign Finance Act. This means that campaign contributions to retention elections would be limited to \$2000 and campaign committees would have to file reports listing contributors. These requirements are essential to protect the integrity of the election process. We believe that retention elections should be regulated in the same way that other Kansas elections are regulated.

Please vote to send S.B. No 563 to the floor of the Senate and on to the House of Representatives.

Thank you for your time and consideration.