

Testimony before the  
**Federal and State Affairs**

on  
**Testimony on HB 2775**

by

**Mark Tallman, Assistant Executive Director/Advocacy**  
Kansas Association of School Boards

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Mr. Chairman, Members of the Committee:

Thank you for the opportunity comment on **HB 2775**, which would impose additional reporting requirements on municipalities\* regarding lobbying. We appear in opposition to this bill because we see no need to enact additional requirements; because we see no justification in imposing additional requirements on municipalities and not on other entities that engage in lobbying; and because we believe this bill would create more confusion than clarity in the public's understanding of lobbying.

Both the school districts that choose each year to belong to the Kansas Association of School Boards and KASB itself are already required to report lobbying expenditures to the Governmental Ethics Commission, and we make every effort to scrupulously follow those requirements. Any member of the public already has access to those records.

The decision by local school boards to adopt legislative positions, to direct their employees to communicate those positions, or to hire specialized staff or join in associations to communicate or promote those positions, is and we believe should continue to be a local decision made by locally elected officials, accountable to and removal by the voters; made in open meetings and subject the Open Records Act.

This bill seems to suggest there is something inappropriate or even corrupt about public entities engaging in lobbying or joining associations to lobby. We strongly disagree. Good government requires both an informed electorate and informed public officials. That is that role of public lobbyists. We seek to keep our members – who are public officials themselves – informed about the impact of public policy choices and actions by other levels of government, and we seek to inform the public and other elected officials about how their choices impact our members and the school districts they are constitutionally

charged to “maintain, develop and operate.” We see no difference between our activities and that of the National Conference of State Legislatures, the National Governor’s Association, the Education Commission of the States or any other association of state-level governmental agencies.

The primary purpose of this bill seems to be to require additional reporting of the salaries of persons involved in lobbying. We have no particular objection to that concept, provided the salaries of *all* persons involved in lobbying, public or private, are included. If the purpose of this bill is to give the public greater access to the salaries of public lobbyists, then the public should be able to compare those expenditures with those of others who lobby for government action or inaction.

This bill would also require dues to associations such as KASB be reported as lobbying expenses, unless the association identifies the portion of those dues that are expended for lobbying in a manner acceptable to the Governmental Ethics Commission. Dues paid to KASB from public school districts are already public records, and KASB already makes public reports as required by the Ethics Commission. Except for the single request made this year by the Americans for Prosperity organization, KASB has never received a request for additional information from any one of the thousands of school board members who have served in recent years.

We think it is very clear our members understand that KASB engages in lobbying and those activities are supported by dues, and part of the reason they join KASB for lobbying on their behalf. They expect the board of directors and officers elected to oversee our association to make decisions about staffing and expenditures. Our Legislative positions are developed by school board members, discussed at regional meetings, circulated by mail and e-mail, and voted upon by our members. We report on these activities in publications sent to the news media and legislators, and we post them on our website. There is nothing hidden or secretive about our lobbying efforts.

Finally, this bill creates additional standards defining when individuals must report salaries for lobbying, based on the number of hours and the scope of activities. We suggest these standards would simply create confusion. If the Legislature wishes to exclude persons who “lobby” less than 40 hours a year or who only give testimony or respond to legislative questions from reporting requirements, KASB could substantially reduce the number of lobbyists we register. Most of our “lobbyists” do just that, because we try to err on the side of over-compliance. If the goal of this bill is to reduce the number of “public lobbyists” by excluding those who fit that definition, we can certainly do so.

Thank you for your consideration.

\*“Municipality” means any county, township, city, school district or other political or taxing subdivision of the state, or any agency, authority, institution or other instrumentality thereof.