

FILE

Subject

Elections-Candidates
Expenditures

Copy to



STATE OF KANSAS

Office of the Attorney General

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER
Attorney General

February 11, 1974

Opinion No. 74-49

The Honorable Robert B. Madden
Senator, 28th District
Senate Chamber
Statehouse
Topeka, Kansas 66612

Dear Senator Madden:

You request our opinion whether the Senator Bob Madden Club is required to file reports pursuant to K.S.A. 25-901. You advise the following:

"This club was organized for the sole purpose of publishing, distributing, printing and mailing the results of questionnaires submitted to the people of my district. It is agreed that the funds will not be used for any other purpose, especially to promote or engage in promoting the success or defeat of any party or the election or defeat of any candidate or candidates to political office or the adoption of any proposed constitutional amendment. This club was organized solely for the purpose of obtaining the views of constituents. Any balances have not nor will be expended toward any political campaign.

"The legislature does not provide funds for legislators to seek the views of their constituents; thereby, requiring legislators to obtain other means of support for such programs."

Certainly, it is appropriate for an elected official to solicit the views of his constituents on issues of public importance. Hoellen v. Annunzio, 468 F.2d 522 at 526 (7th Cir. 1972). K.S.A. 25-901 does not require an organization formed for such a purpose to file a report. It applies, rather, to:

The Honorable Robert B. Madden
February 11, 1974
Page 2

"[e]very committee, club, organization, municipality or association designed to promote or engaged in promoting the success or defeat of any party or the election or defeat of any candidate or candidates to political office"

Given your description of the purpose and activities of the Senator Bob Madden Club, the answer to your question is self-evident. You expressly state, indeed, that the purposes of the organization are not those described in the statute.

Very truly yours,



VERN MILLER
Attorney General

VM:JRM:gh