



August 29, 2017

To: Members of the Government Accountability Task Force

From: David Owen, South Dakota Chamber of Commerce and Industry

Re: The need for groups to be able to address multiple ballot questions over multiple years in the same fashion as political actions committees support candidates on a long term basis.

The South Dakota Chamber of Commerce and Industry has a long history of being involved in managing campaigns for ballot questions. The Chamber has been involved in at least one ballot issue campaign for each of the past 7 elections and was involved in a number of them in previous elections.

As the Legislature looks at the structure of campaign finance regulations, the Chamber would ask that state law allow for a committee structure that will allow groups to address multiple ballot questions for elections on an ongoing basis in the same manner that political action committees allow organizations to support various candidates in each election over time.

The Chamber did have an ongoing ballot action committee that took in donations and reported them to the Secretary of State during each election. All donations were recorded and reported and all the reporting deadlines were met for each election. The only things that the Chamber's committee did that were different than committees formed for a specific issue was 1) did not specify which issue it was formed to address nor 2) file a termination report.

Ballot measures are an important tool that is used for determining public policy. The Chamber and other organizations exist to address public policy that impacts their members. Addressing ballot measures has become a regular event and at times involves more than one issue in a given year.

The necessity for an ongoing ability to address ballot measures stem from several needs.

There are elections when groups want to address several ballot measures. The ability to have member contribute to a ballot action committee, which would be reportable contributions, that might be spent on the group's behalf for more than one issue makes it easier for public policy groups to address the issues that are on the ballot.

Ongoing donations could build a fund that would allow groups to be ready to address issues as they arise. The flow of contributions doesn't always line up with a business' ability to make a contribution. Having an ongoing committee would let organizations be better prepared to address issues in advance of them being on the ballot.

All contributions would be reportable. The donations to the ongoing committees would be reported to the Secretary of State in the same manner as contributions to political action committees. When a ballot action committee makes a contribution to a specific campaign committee that would be reported as well.

The Chamber has learned that creating this kind of ballot question structure is rather complicated and therefore requests the Government Accountability Task Force to use the resources of the Legislative Research Council for drafting the language of the idea. The Chamber believes that this type of structure will encourage more organizations to be active in addressing the issues that are placed on the ballot.