

MINUTES OF THE SENATE ETHICS AND ELECTIONS COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 9:30 a.m. on March 10, 2010, in Room 144-S of the Capitol.

All members were present.

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Sean Ostrow, Office of the Revisor of Statutes
Martha Dorsey, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Carolyn Long, Committee Assistant

Conferees appearing before the Committee:

Thomas Witt, Kansas Equality Coalition
Earl Glynn
Kay Hale, League of Women Voters of Kansas
Chief Judge Patrick Brazil, Retired, Kansas Court of Appeals
Amber Versola, Kansas National Organization for Women

Others attending:

See attached list.

The Chair opened the meeting by calling for approval of the minutes of March 3, 2010. Moved by Senator Huntington, seconded by Senator Reitz that the minutes be approved as submitted. Motion carried.

The Chair recognized Senator Huntington who moved deleting the contents of **HB 2082** and inserting the contents of **SB 418** seconded by Senator Brungardt. Motion carried. Motion by Senator Huntington, seconded by Senator Brungardt that Senate Substitute for **HB 2082** be passed favorably out of committee. Motion carried.

The chair opened the hearing on **SB 563 - Campaign Finance Act; application to retention elections for appellate justices and other judges**. Staff explained that this bill simply adds incumbent supreme court and appellate judges to the Campaign Finance Act.

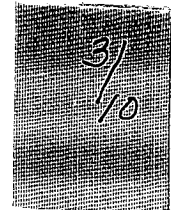
Tom Witt, Kansas Equality Coalition, was recognized by the Chair. Mr. Witt stated his organization feels that the Act must be broadened to include justices and judges who face retention elections and to require complete disclosure and reporting (Attachment 1).

Speaking in favor of the bill, Earl F. Glynn, said that he is testifying as a concerned citizen who is a proponent of open government, open records, and public disclosure (Attachment 2).

Also in favor of the bill, Chief Judge Patrick Brazil (Retired), Kansas Court of Appeals stated that the Supreme Court favors sensible, equitable regulation of the financing of judicial retention elections and supports openness and full disclosure for all sides of any ballot question (Attachment 3). He stated that while this is a good concept its execution needs some adjustment before passage. Staff asked Justice Brazil how he would specifically recommend amending the current legislation. Judge Brazil said he had not had adequate time to review the bill and its possible consequences.

Kay Hale, League of Women Voters of Kansas, testified that the League specifically seeks 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 (Attachment 4).

Speaking in favor of the bill, Amber Versola, National Organization for Women, said her members believe that this legislation calls for the transparency of financial support that our elected officials receive regarding retention or appointment of our judges (Attachment 5).



CONTINUATION SHEET

Minutes of the Senate Ethics and Elections Committee at 9:30 a.m. on March 11, 2010, in Room 144-S of the Capitol.

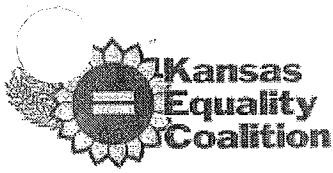
Written testimony only was submitted in favor of the bill by Joseph N. Molina, Kansas Bar Association (Attachment 6) and Callie Jill Denton, Kansas Association for Justice (Attachment 7).

Senator Huntington asked if we knew how many judges actually campaigned. Carol Williams, Director, Governmental Ethics Commission, said that by judicial code they are restrained from campaigning unless they are being attacked and need to defend their position.

The Chair thanked all those who appeared before the Committee and closed the hearing on **SB 563** informing the committee that they would have final action on the bill at the next meeting.

The next meeting is scheduled for March 17, 2010.

The meeting was adjourned at 10:15 a.m.



Our mission is to end discrimination based on sexual orientation and gender identity, and to ensure the dignity, safety, and legal equality of all Kansans

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www.KansasEqualityCoalition.org

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Testimony Thomas Witt, Chair, Kansas Equality Coalition
Senate Committee on Ethics and Elections
Statement in support of SB563
March 10, 2010

The Kansas Equality Coalition is a statewide not-for-profit organization with over one thousand members in nine chapters. We are a grass-roots group who works for full equality and fair treatment for gay and lesbian Kansans.

Just one week ago, we requested introduction of SB563, and I'd like to thank the Chair and the committee for scheduling today's hearing so quickly. This is an important issue for all Kansans, and our members thank you for your willingness to immediately address it.

As the committee is undoubtedly aware, last month Kansas Supreme Court Justice Carol Beier requested a ruling from the Kansas Governmental Ethics Commission as to whether retention elections of Kansas Supreme Court Justices are covered by the Kansas Campaign Finance Act. The Ethics Commission's ruling, issued the following week, informed Justice Beier that retention campaigns are not covered by the Act. A copy of Justice Beier's request and the Ethics Commission ruling are attached to this testimony.

The practical impact of the Ethics ruling is this: completely unlimited, entirely anonymous funds may now pour into any campaign for or against our Kansas Supreme Court justices, our appellate judges, and those district court judges who must stand for retention. The door is now wide open to the corrosive influence of unaccountable campaign cash to influence, and perhaps outright buy, seats on the most important courts in our state.

As an organization which represents the interests of a class of people who depend on access to the courts for the protection and guarantee of our basic Constitutional rights, the Kansas Equality Coalition is adamantly opposed to leaving this door open. We stand with those who believe in the integrity and independence of our Kansas courts and American system of justice. Selling the Supreme Court to the highest anonymous bidder is an offense to all Kansans.

After we requested introduction of this bill last week, we were immediately inundated with questions from interested parties across Kansas as to the intent and purpose of the language. Our intent is simple: We believe that the Kansas Campaign Finance Act must be broadened to include justices and judges who face retention elections. The intent of SB563 is to require complete disclosure and reporting from justices and judges running for retention, and complete disclosure and reporting from any and all organizations raising and spending money to defeat or support them. Furthermore, SB563 defines, for the purposes of the Campaign Finance Act, all Supreme Court justices, appellate judges, and district judges who stand for retention, as statewide officers. Our intent is that these officials will be subject to the same contribution limits as candidates for Governor, Attorney General, Secretary of State, and so on.

Although we worked with counsel on the language we proposed to the Senate, we are not experts on campaign finance law. We sought further help from the staff of the Senate Committee on Ethics and Elections, and are grateful for their assistance in help

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Attachment 1

bill to our intent. There has been some confusion among interested parties regarding exactly which statutes must be amended to accomplish our goal; indeed, this committee added a balloon to SB443 the same day we requested SB563. We believe that, while the balloon adds justices and judges to the definition of "statewide officers," it is insufficient in that it does not clearly include "retention" in the Campaign Finance Act's provisions requiring disclosure and reporting.

Another issue that has come up since SB563 was introduced was whether or not our intent was to subject the justices and judges official campaign committees to the same contribution limits as other state elected officials. Yes, that is our intent. We believe that the contribution limits defined in the Campaign Finance Act are present to keep the corrosive, corruptive influence of large sums of money at "arms-length" from candidates for public office, and we believe this is a sound principle that should be preserved. Independent political action committees can be set up to support and oppose candidates for retention, and under this bill, will be required to comply with the same statutes and rules and regulations as any other PAC operating in Kansas.

Other parties have suggested that since retention candidates do not face opponents who are similarly limited in their fundraising, there should be no limit on the retention candidates. While we disagree with this approach, it's an argument that has merit, and at their request we offer language that will remove retention campaigns from contribution limits while preserving reporting and disclosure requirements:

and amending K.S.A. 25-4153 to add:

(j) No limitation on amounts contributed to a candidate or such candidate's candidate committee as set forth herein shall apply to an incumbent Justice or Judge in an election upon the question of retention pursuant to K.S.A. 25-111, 25-3006, 20-2908, 25-113, or 20-337 and any amendments thereto.

I do not think it is hyperbole to say that this may be one of the most important issues to come before the Legislature in some time, and may be one of the most important votes you will cast. The questions before this committee, and indeed the entire Legislature, are simple: Is our court system for sale? Is justice in Kansas only for those with money, only for those anonymous interests, whether from Kansas or not, who can pour millions of unaccountable, untraceable dollars into our state?

This is not an issue about sexual orientation or the ongoing debate over gay rights. This is about preserving our system of justice for all Kansans. The "For Sale" sign must come down from the front door of our Supreme Court, and the people of Kansas are counting on you to do the right thing.

Respectfully,

Thomas Witt, Chair
Kansas Equality Coalition

Carol A. Beier
3620 Southwest 11th Street
Topeka, Kansas
66604

February 12, 2010

Kansas Governmental Ethics Commission
109 Southwest Ninth Street
Suite 504
Topeka, KS 66612

Attn: Carol E. Williams, Executive Director

Dear Ms. Williams:

Please forward the following question to the Ethics Commission for its opinion:

Is a retention election for the position of Justice of the Kansas Supreme Court governed by the Kansas Campaign Finance Act?

Thank you for your attention to this matter.

Sincerely,



Carol A. Beier

February 17, 2010

Opinion No. 2010-03

The Honorable Carol A. Beier

3620 Southwest 11th Street

Topeka, Kansas 66604

Dear Justice Beier:

This opinion is in response to your letter of February 12, 2010 in which you request an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 25-4142 *et seq.* Thus, whether some other statute, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

FACTUAL STATEMENT:

We understand that you request this opinion in your capacity as a Kansas Supreme Court Justice. You are interested in obtaining information concerning your responsibilities under the Campaign Finance Act since you will have a retention election this year.

QUESTION:

Is a retention election for the position of Justice of the Kansas Supreme Court governed by the Kansas Campaign Finance Act?

OPINION:

K.S.A. 25-4143(m) defines "State office" to mean any state office as defined in K.S.A. 25-2505 and amendments thereto.

K.S.A. 25-2505(b) states "'State office' or 'state officer' means the state officers elected on a statewide basis, members of the house of representatives and state senators, members of the state board of education, district judges, district magistrate judges and district attorneys".

Since the position of Supreme Court Justice is not included in the definition of "state officer", the Campaign Finance Act does not govern your retention election.

Sincerely,

Tim Emert, Vice-Chairman

By Direction of the Commission

TE:JM:dlw

Testimony of Earl F Glynn
Favoring SB 563
To Include Judicial Retention Elections under Campaign Finance Laws
10 March 2010

Chairwoman Schmidt and members of the Committee, thank you for this opportunity to address you about proposed changes to the campaign finance act.

My name is Earl Glynn with the Franklin Center for Government and Public Integrity, but I am here today representing and testifying only for myself as a concerned citizen, who is a proponent of open government, open records, and public disclosure.

Campaign disclosures and other documents available under the Kansas Open Records Act are key parts to many investigations of Kansas state and local governments.

As a citizen journalist for a number of years I used campaign disclosures in a number of investigations about the appropriateness of government actions, especially political appointments that seemed to correlate with political contributions.

I am interested in campaign disclosures that may later reveal conflicts of interest or inappropriate actions taken by elected officials. The public has the right to know and understand how campaign contributions may later affect elected officials, including elections dealing with the retention of judges, such as Supreme Court justices.

I have attended all the Kansas Governmental Ethics Commission meetings for over a year. Last month I listened to their discussion about the opinion requested by Justice Carol Beier as to whether campaign finance laws applied to judicial retention elections. While some may say the intent of the existing law was to cover such elections, the existing statute is missing specifics about such contests. The Ethics Commission ruled no statute covered campaign finance regarding judicial retention elections.

Without the proposed change of SB 563, both sides will be allowed under the law to raise and spend any amount of money on judicial retention elections with no disclosure of amounts or donors. This "fix" in SB 563 is needed to provide specifics missing in the intent of the existing law. This fix will provide "sunshine" on such political contributions to ensure integrity of our state government.

I believe that it is in the interest of good government for all Kansans to require disclosure of campaign contributions and expenditures in judicial retention elections.

10808 W. 105th St
Overland Park, KS 66214
913-484-3623

Senate Ethics and Elections Cmte

Date 3-10-2010

Attachment 2

Senate Ethics and Elections Committee

Wednesday, March 10, 2010

Testimony Regarding 2010 SB 563

Kansas Court of Appeals Chief Judge Patrick Brazil, Retired
(785) 296-2256

On behalf of the Kansas Supreme Court, thank you for the opportunity to offer some comments concerning SB 563. The Supreme Court favors sensible, equitable regulation of the financing of judicial retention elections. The Court supports openness and full disclosure for all sides of any ballot question. The public has a right to know who is behind any effort to influence voters. For those reasons, SB 563 is a noble, well-intentioned endeavor.

At the outset, it is important to realize that judges are not politicians. Although some Kansas district judges must run in partisan elections, once they are elected or appointed all Kansas judges strive to put politics aside entirely in doing their jobs. Reaching this goal is already complicated by the uncertainty in the area of judicial recusals caused by recent United States Supreme Court decisions.

It is a wise design feature of our system of government that judges are fundamentally different public servants than others covered by the Campaign Finance Act. As such, the ideal legislation that would cover judges standing for retention would be carefully tailored to the judicial role and circumstances. If that, for whatever reason, is not possible, there is still an absolutely indispensable ingredient to any amendment to existing law to bring judicial retention elections under campaign finance regulation. That absolutely indispensable ingredient is equity.

There are at least two aspects of equity that must be considered. The first aspect is equity between those favoring and those opposing a position. The second aspect is equity between retention elections and other elections covered by the Campaign Finance Act.

The amendment to SB 443 earlier considered by this committee is inadequate to cover the first equity concern. SB 563, which is before you today, is better, but still presents some concerns and does not appear to fully address the equity issues. What no one wants is legislation that limits one point of view without imposing identical limits on the other point of view.

Regarding the equity concern between judicial retention elections and other elections, one issue that is not addressed is that there is only one cycle in retention elections. There is no primary election. Campaign contribution limits may need to be adjusted to reflect that reality. For example, an increased donor pool necessarily increases the potential number of cases in which a judge may need to recuse. Contributors on both sides of the retention issue should be able to give at the same level as contributors to campaigns in which there is both a primary and a general election.

2010 SB 563
March 10, 2010
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In summary, while SB 563 is a good concept, its execution needs some adjustment before passage. The Supreme Court urges extreme caution in this process. Legislation on campaign finance is fraught with the possibility of unintended consequences, and no one wants to do more harm than good in this situation. Therefore, you may wish to examine the laws of other states for their approach to campaign finance for judicial retention elections. The Court's overarching consideration is support for openness and full disclosure for all sides of any ballot question, given the public's right to know who is behind any effort to influence voters.

Again, thank you for the opportunity to provide comments on SB 563.

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

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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.

Amber Versola
President, Kansas City Metro NOW
Proponent of SB 563
Email: kcmetroneow@ksnow.org
Phone: 785-979-1733



My name is Amber Versola. I am the president of the Kansas City Metro chapter of the National Organization for Women, and also a board member of Kansas NOW. On behalf of KS NOW, I respectfully stand before you as a proponent of SB 563.

KS NOW believes that this bill calls for the transparency of financial support that our elected officials receive. Specifically, it calls for the transparency in the funding of campaigns to retain or appoint our judges. Without this piece of legislation, Kansas faces a frightening future where judges can be bought. SB 563 will not allow any specific interest groups to hide behind campaigns that essentially bully justices who do not side with their agendas, whether those agendas are constitutional or not. This bill maintains that state officials, such as our Supreme Court Justices be accountable for the monies that such interest groups spend on their retention. It mandates that the groups also be accountable for their financial interests in the campaigns to retain or unseat justices.

A key example of why Kansas needs this legislation can be seen in the "Fire Beier" campaign that a well funded interest group has implemented. The group has bought television, print, and radio ads in an effort to get the people of our state to vote against the retention of Justice Beier in the next election. The group has demonstrated that they harbor animosity towards Justice Beier essentially because she did what she was appointed to do – she voted to uphold the law. In doing so, she issued a decision against specific conduct by former Johnson County District Attorney and former Kansas Attorney General Phil Kline.

Justice Carol Beier used factual reasoning when she wrote, "Kline exhibits little, if any, respect for the authority of this court or for his responsibility to it and to the rule of law it husbands. . . His attitude and behavior are inexcusable, particularly for someone who purports to be a professional prosecutor." She also asserted that his has actions cost taxpayers \$50,000 in unnecessary personal costs.

It's because of her remarks that she has been politically attacked by some of the same zealots who aided Kline as he behaved in the manner which resulted in the justices' ruling. The same group that financially supported the attorney's campaigns have focused their money on a campaign that is aimed at removing Justice Beier from her seat.

Justice Beier was direct and assertive in her decision. Her interpretation of the laws which maintained that Phil Kline be held accountable for his approach to the court and its questions serves as a model for future courts. Ironically, it is her respect for the law that has positioned her at the center of a hateful campaign to remove her from the bench. It was found that Phil Kline

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Amber Versola
President, Kansas City Metro NOW
Proponent of SB 563
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acted with disrespect for the laws that hindered his personal agenda. Just as we did not deem his behavior as a prosecutor to be acceptable, we do not accept the fact that judges may have extra incentive to side with any special interest groups.

Kansans deserve to know the story behind the Fire Beier campaign. We also deserve to know that the judges, whether they face appointment, retention, or even election will not have their judgment clouded by the interest groups who fund such campaigns. We should not tolerate the notion that money talks in our courts. In keeping with the pursuit of justice, I would like to close my remarks by saying that KS NOW supports SB 563 because of the transparency it mandates. We firmly believe that it is time for groups to be accountable for the information they disseminate to our voters. Because of this, I ask that the committee please move SB 563 favorably out of committee and place it onto the Senate floor for a vote.



**KANSAS BAR
ASSOCIATION**

TESTIMONY

TO: **The Honorable Vicki Schmidt**
 And Members of the Senate Ethics and Elections Committee

FROM: **Joseph N. Molina**
 On behalf of the Kansas Bar Association

RE: **SB 563 – campaign finance act and coverage of certain retention elections**

DATE: **March 10, 2010**

Good morning Chairman Schmidt and Members of the Senate Ethics and Elections Committee. I am Joseph N. Molina and I appear on behalf of the Kansas Bar Association in support of SB 563. This legislation would extend campaign finance laws and rules to cover questions of retention for Supreme Court justices, court of appeal judges and certain district court and district magistrate judge positions.

SB 563 would correct what appears to be an oversight in the Kansas Campaign Finance Act, specifically requiring that campaign finance laws apply to questions of retention. The Kansas Governmental Ethics Commission recently opined that since the position of Supreme Court Justice is not included in the definition of state officer, the Campaign Finance Act does not govern questions of judicial retention. The legislation before you will correct this serious defect and allow Kansans to feel secure that our campaign finance laws apply consistently to all state officers who are faced with an election or a question of retention. SB 563 will require any group, organization, or individual to follow the same rules when espousing their views in a retention election as they would be required under any other election in Kansas.

In addition to providing uniformity to the Kansas Campaign Finance Act, SB 563 will require questions of retention to be as transparent as all other Kansas campaigns and elections. As former U.S. Supreme Court Justice Louis Brandeis once stated "sunlight is the best disinfectant". This quote has been used hundreds of times to illustrate that openness is a fundamental democratic characteristic. To ignore the words of Justice Brandeis and conduct a retention election without the highest level of accountability and transparency would be a great disservice to citizens of Kansas. SB 563 should be the catalyst to openness in this area.

Moreover, SB 563 will require any group or individual who wishes to inject themselves into the Kansas judicial retention process to provide certain specific information. These rules are non-partisan, straightforward, and designed to ensure the highest level of transparency. Kansans have an interest in knowing who supports or opposes a particular judge and the means by which they express their point of view. SB 563 will allow the sunlight to shine upon these groups by requiring their information be made public.

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Attachment 6

On behalf of the Kansas Bar Association, I thank you for your time this morning and would be available to respond to questions at the appropriate time.

Respectfully

Joseph N. Molina
KBA Director of Government and Legal Affairs

About the Kansas Bar Association:

The Kansas Bar Association (KBA) was founded in 1882 as a voluntary association for dedicated legal professionals and has more than 6,900 members, including lawyers, judges, law students, and paralegals. www.ksbar.org



Your rights. Our mission.

To: Senator Vicki Schmidt, Chairperson
Senate Committee on Ethics & Elections

From: Callie Jill Denton JD
Director of Public Affairs

Date: March 10, 2010

Re: Hearing on SB 563 Campaign Finance Act; Application to Retention
Election for Judges (PROPONENT—WRITTEN ONLY)

The Kansas Association for Justice is a non-profit professional organization of Kansas attorneys. The Kansas Association for Justice supports SB 563.

Kansas is not alone in grappling with the challenge of campaign finance, disclosure, and the judiciary. In 39 states, including Kansas, at least some appellate or major trial court judges face traditional elections or retention elections. From 2000-2009, state supreme court candidates raised \$206.4 million nationally, more than double the \$83.3 million spent in 1990-99—and that does not include independent campaign expenditures.

The problem with the infusion of money and increased electioneering is the potential for damage to the public's perception of judicial independence. Just this week, a new poll of West Virginia citizens by Justice at Stake and the Committee for Economic Development was released. The poll underscores the public's strong expectations of judicial independence.

Seventy-eight percent (78%) of citizens polled felt campaign expenditures have a "great deal of" or "some" influence on courtroom decisions by elected judges. The same number, 78 percent, said judges should not hear any cases "involving any organization, business, or individual who spent significant amounts of money to help elect them." Seventy-five percent support tougher disclosure rules, saying that special-interest groups which spend money on "independent" campaigns should be required to disclose who is paying for such campaigns.

The challenge for policymakers is not only to guard the independence of the judiciary, but to guard the public's perception of its independence. In Federalist Paper #78, Alexander Hamilton wrote, "This independence of the judges is...requisite to guard the Constitution and the rights of individuals." Disclosure of information to the public is an important means of protecting the independence and impartiality of the judiciary.

SB 563 appropriately shines a spotlight on those making expenditures or contributing to campaigns relating to judicial retention by requiring public disclosure. The Kansas Association for Justice believes requiring disclosure of expenditures relating to judicial retention elections under the Kansas campaign finance act is reasonable, appropriate, and a positive step to protecting judicial independence and public perception.

The Kansas Association for Justice respectfully requests the committee's sup

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Attachment 7