

2013 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1430

2013 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1430
February 14, 2013
18920

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to campaign contributions and expenditures; and to provide a penalty

Minutes:

You may make reference to "attached testimony."

Chairman Jim Kasper opened the hearing on HB 1430.

Rep. Ed Gruchalla appeared in support and sponsor of this bill. There are a series of bills here that we have been working on for the last year. Rep. Mock did most of the work on them, but when I heard that he was looking at some campaign finance reform and some ethics information, we put together a series of bills here. The technical questions I will leave for Rep. Mock. He should be here shortly. He is late as usual. He read through his written testimony **Attachment 1**. (2:12-4:02) I should add also that last night's radio show, Gary Emineth was there and we discussed. We went through these bills. He did state that he thought that our campaign finance laws were underdone. One of the things he pointed out is that the \$200 probably should be raised. We know that is covered in another section. If that is something the committee would be agreed to, we think that should be raised, so we don't have to disclose anything. He suggested maybe \$500 or \$1,000, but that would be up to the committee.

Chairman Jim Kasper Are you proposing an amendment to that effect or do you just want to enter in the record that you might support it if we did that?

Rep. Gruchalla I will leave it up to your judgment.

There was no opposition.

Neutral:

Dan Ulmer, Blue Cross/Blue Shield appeared in a neutral position. He read **Attachment 2** and gave it to the committee a little later because he had just received it that morning. (6:12-7:27)

The hearing was closed.

2013 HOUSE STANDING COMMITTEE MINUTES

House Government and Veterans Affairs Committee
Fort Union Room, State Capitol

HB 1430
February 21, 2013
19345

Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to campaign contributions and expenditures; and to provide a penalty.

Minutes:

You may make reference to "attached testimony."

Chairman Jim Kasper There have been a number of bills both in the house and the senate in the area of campaign reform. Over in the senate we had two bills very similar to HB 1430. They were SB 2299 and SB 2369. One was sponsored by the minority leader in the senate and one was sponsored by a republican senator over there. SB 2299 passed the senate yesterday, and the minority leader agreed to amend parts of his bill into the SB 2299, and it passed very close to unanimously. I believe that SB 2299 which will get back in this committee is very much similar to HB 1430.

Rep. Karen Karls In light of what you just informed us of I move a Do not pass.

Rep. Vicky Steiner seconded.

Chairman Jim Kasper We will have SB 2299 assigned right back to this committee. It was sort of an agreement between the leaders in the senate to move that bill forward, and I believe the secretary of state was also involved in it to get any tweaks that he desired. All parties over in the senate were happy with it. We obviously don't want to send them work that they have already looked at.

Rep. Gail Mooney 2299 is the one that is most closely resembling and then 2369?

Chairman Jim Kasper I think it was 2369. I might have the numbers wrong, but it was Senator Schneider and Senator Wardner. The two leaders over in the senate sponsored the bill and they merged it into 2299 and they are all happy with it.

A roll call vote was taken and resulted in **DO NOT PASS, 10-3, 1 ABSENT.** **Rep. Vicky Steiner** is the carrier of the bill.

Rep. Scott Louser I just looked that up. It passed 43-4 in the senate.

Date: 2-21-13
 Roll Call Vote #: _____

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1430**

House Government and Veterans Affairs Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Karls Seconded By Steiner

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Bill Amerman		X
Vice Chairman Randy Boehning	X		Rep. Gail Mooney		X
Rep. Jason Dockter	X		Rep. Marie Strinden		
Rep. Karen Karls	X		Rep. Steven Zaiser		X
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Gary Paur	X				
Rep. Karen Rohr	X				
Rep. Vicky Steiner	X				

Total (Yes) 10 No 3

Absent _____

Floor Assignment Steiner

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1430: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)
recommends **DO NOT PASS** (10 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING).
HB 1430 was placed on the Eleventh order on the calendar.

2013 TESTIMONY

HB 1430

Attachment 1

Testimony of Rep. Ed Gruchalla, Dist. 45 Fargo GVA COMMITTEE

HB1430

GOOD MORNING MR. CHAIRMAN AND MEMERS OF THE COMMITTEE.

HB1430 DEALS WITH **INDEPENDENT** CAMPAIGN EXPENDITURES

IF YOU LIKED THE WAY THE LAST POLITICAL CAMPAIGN WAS CONDUCTED THIS BILL IS NOT FOR YOU. HOWEVER, IF YOU LIKE MYSELF AND MANY OF MY CONSTITUENTS DID NOT CARE FOR THE WAY LARGE INSTATE AS WELL OF OUT OF STATE POLITICAL ACTION COMMITTES AND OTHER GROUPS CAME HERE AND ATTEMPT TO PERSUADE NORTH DAKOTA VOTERS WITH DESEPTIVE POLITIAL COMMERICALS THIS IS WHAT YOU NEED.

THIS BILL WILL ADDRESS SOME OF THESE ISSUES THAT RELATE TO THESE GROUPS.

PAGE 3 LINE 21 DEFINES WHAT AN INDEPENDENT EXPENDITURE MEANS. PAGE 4 LINE 10 ADDS SECTION 501 INTERNAL REVENUE CODE TO THE SECTION.

PAGE 5 LINE 1 STATES THAT ANY ACTIVITY UNDERTAKEN DURING THE P ERIOD 30 DAYS BEFORE A PRIMARY ELECTION AND SIXTY DAYS BEFORE A SPECIAL OR GENERAL ELECTION IN WHICH A CANDIDATES NAME, OFFICE, DISTRICT OR ANY TERM MENING THE SAME AS INCUMBENT OR CHALANGER IS USED. ON LINE 6 FUNCTIONAL EQUIVALENT OF SUPPORT IS ADDED.

LINE 12 SPELLS OUT POLITICAL PURPOSE.

PAGE 7 LINE STATES THAT AN INDIVIDUAL OR GROUP WHO CONTRIBUTED \$5000 IN THE AGGREGATE IS REQUIRED TO REPORT.

PAGE 8 LINE 26 STATES THAT A CORPORATION, COOPERATIVE CORPORATION, LIMITED LIABILITY COMPANY, OR ASSOCIATION THAT MAKES AN INDEPENDENT EXPENDITURE OR A CONTRIBUTION THAT IS NOT MADE THROUGH A SEPARATE AND SEGREGATED FUND AS PROVIDED UNDER SUBSECTION 1 SHALL FILE A STATEMENT WITH THE SECRETARY OF STATE WITHIN FORTY-EIGHT HOURS OFTER MAKING THE CONTRIBUTION OR EXPENDITURE. IT GOES ON TO SPELL OUT THE SPECIFIC REQUIREMENTS.

THANK YOU MR CHAIRMAN AND MEMBERS OF THE COMMITTEE.

QUESTIONS?

Attachment
2
House Bill
Re: 1430

Dan Ulmer

From: Dale Shook
Sent: Monday, February 11, 2013 3:23 PM
To: Dan Ulmer; Megan Houn
Cc: Suzanne Michelson
Subject: RE:

Dan,

I've reviewed each of the bills (HB 1430, 1436, 1442, 1444 and 1449), and none of them have an effect on the BCBSND PAC bill. The only provision that I will specifically note is related to HB 1430 that revises Section 16.1-08.1-03.3(1) and (2).

As currently enacted subsection (1) says "A corporation, cooperative corporation, limited liability company, or association may not [followed by a list of prohibitions]" Subsection (2) indicates that "This section does not prohibit the establishment, administration, and solicitation of contributions to a separate and segregated fund"

HB 1430 combines subsections (1) and (2) by deleting the list of prohibited actions and beginning the combined subsection with the statement "A corporation, cooperative corporation, limited liability company, or association may establish and administer a separate and segregated fund" You will note that the new, combined subsection leaves out the term "solicit" - that is, the current subsection (2) speaks to "establishment, administration, and solicitation" while the new, combined subsection (2) refers only to "establish and administer." I don't know if the absence of "solicit/solicitation" from the new, combined subsection (2) is intentional or not, but the absence of "solicit/solicitation" may be worth discussing with the sponsors for clarity's sake.

Other than that, I don't see that any of the bills create problems for the BCBSND PAC bill.

Thank you.

Dale R. Shook
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-----Original Message-----

From: Dan Ulmer
Sent: Monday, February 11, 2013 12:47 PM
To: Dale Shook; Megan Houn
Subject:

Dale-take a look @ hb1444, 1449,1442, 1430, 1436--kasper's committee is hearing these on thursday n he wants to know if any of them have an effect on our PAC bill...txs-dn

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