

2015 HOUSE GOVERNMENT AND VETERANS AFFAIRS

HB 1289

2015 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Fort Union, State Capitol

HB 1289
2/12/2015
23736

- Subcommittee
 Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to campaign contribution reporting requirements for legislative candidates

Minutes:

Attachment 1

Chairman Kasper opened the hearing on HB 1289.

Rep. Mary Schneider appeared as a sponsor of the bill. Attachment 1. (:28-2:10)

Rep. Steiner Could you list out the problems you have seen?

Rep. Schneider The inconsistency in that provision. It doesn't apply to people who do not have a candidate committee. I did hear a member of the House say that he puts his contributions into his personal checking account. That at least gives the appearance of risk.

Rep. B. Koppelman Did you talk to the Secretary of State about what the cost to them would be to manage that many more reports and was it enough to require a fiscal note?

Rep. Schneider I talked with the Secretary of State's Office, and they didn't think so. I think it would take very little to extend that brief statement

Rep. Karls You are saying under current law the reporting requires the gross total of all contributions over \$200 which I agree with. The gross total of all contributions and the cash on hand at the start and close is not currently for legislative candidates.

Rep. Schneider That is just for the committees.

Rep. Karls You want us to not only list what we get over \$200 but then these further?

Rep. Schneider Yes. In addition to listing the contributions over \$200, we would have just the total of all our contributions and the cash on hand at the start and close of the period.

Rep. Karls I have always considered that kind of personal information as far as the campaign goes. If you spend down every penny, do you want the other side to know that? If you end up with a couple hundred in your account, who needs to know that?

Rep. Schneider I do think probably you are in a majority of people who feel that way, and that is probably why the law is written as it currently is. It is a matter of transparency and accountability. It lets the public know how we are spending our money. It is something that we already require of our candidates for statewide office.

Rep. B. Koppelman I don't see where this is going, because this is not the public's right to know about personal finances. Can you help me with that?

Rep. Schneider I think there a lot of things that we do because we are representative of the public trust. I think there is a lot of suspiciousness now. Rep. Hanson mentioned that we have a lot of big money in this state. This is a small way in our law that we can maintain being above board, openness and transparency so that we maintain respect for the institution. Obviously, we haven't had it all the way along.

Rep. B. Koppelman If I was using my personal finances to run, is it the people's right to know how much my personal money I spend as well?

Rep. Schneider There are other bills that may address the use of personal finances, but this one doesn't.

No opposition or neutral.

The hearing was closed.

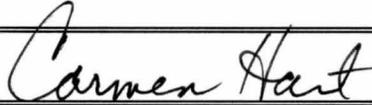
2015 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Fort Union, State Capitol

HB 1289
2/13/2015
23833

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to campaign contribution reporting requirements for legislative candidates

Minutes:

"Click to enter attachment information."

Chairman Kasper opened the meeting on HB 1289. This would expand reporting requirements to the legislative candidates including gross contributions of all totals received in excess of \$200, total contributions received of \$200 or less, and cash on hand in the filer's account at the start and close of the reporting period.

Rep. Steiner We didn't have anyone from the public come in and say that this is a critical issue. I make a motion for a DO NOT PASS.

Rep. Dockter seconded the motion.

Rep. Wallman We are already doing this. It would really eliminate any perception of impropriety, and we want our electors to have confidence in us. I don't think there is any harm in codifying that.

Rep. Louser I don't necessarily think we are already doing this, in particular the cash on hand. If I have \$50 cash on hand in my campaign account or \$15,000, who needs to know that and why? We are hearing about ethics, disclosure, and transparency, and we are getting a F from a group that wants more information. Yet when Gallup surveys people in the state, North Dakota comes out in first place. Three years we have been named the best run state in the country. 77% of our citizens said they trusted our government. It is frustrating that we are doing that to ourselves by saying we are unethical.

Rep. Wallman I thought I said we are already being ethical and to codify this would just illustrate that we care about this. Rep. Louser if the cash on hand were not in the bill, would you still support it?

Rep. Louser The gross total of all contributions is also an issue, because it gets to then why do we have a threshold of \$200? The \$200 is working because you can see all of us have received checks for \$200 or less, and there is a reason behind the person that is

donating that money that wants that \$200 or less to not be reported. Whether we like it or not, money is considered free speech. That was determined by the courts in 2010.

Rep. Wallman Maybe there hasn't been a public outcry because it is not transparent now.

Rep. M. Johnson In the 20 years I have been involved in various districts around the state, I have never once even looked at anyone's financial disclosure statements. I did not solicit any funding for my run in 2014 but did receive a lot of checks. I prefer we remain with the current code.

A roll call vote was taken. 10 Yeas, 4 Nays, 0 Absent.

Rep. Louser will carry the bill.

Date: 2-13-15
 Roll Call Vote #: 1

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 1289**

House Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

- Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Steiner Seconded By Dockter

Representatives	Yes	No	Representatives	Yes	No
Chairman Jim Kasper	X		Rep. Bill Amerman		X
Vice Chair Karen Rohr	X		Rep. Gail Mooney		X
Rep. Jason Dockter	X		Rep. Mary Schneider		X
Rep. Mary C. Johnson	X		Rep. Kris Wallman		X
Rep. Karen Karls	X				
Rep. Ben Koppelman	X				
Rep. Vernon Laning	X				
Rep. Scott Louser	X				
Rep. Jay Seibel	X				
Rep. Vicky Steiner	X				

Total (Yes) 10 No 4

Absent _____

Floor Assignment Louser

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

REPORT OF STANDING COMMITTEE

HB 1289: Government and Veterans Affairs Committee (Rep. Kasper, Chairman)
recommends **DO NOT PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING).
HB 1289 was placed on the Eleventh order on the calendar.

2015 TESTIMONY

HB 1289

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Presentation

HB 1289:

February 12, 2015

Government and Veterans Affairs Committee

Representative Mary Schneider, District 21

Chairman Kasper and members of the Committee, I'm Mary Schneider, Representative from District 21, Central Fargo. I'm here today to urge your consideration of House Bill 1289.

This bill is an attempt just to add legislative candidates to the list of others who make the very minimal campaign finance disclosures required by law. Under current law the reporting required during or at the conclusion of a campaign includes a showing of:

- a. The gross total of all contributions over \$200;
- b. The gross total of all contributions;
- c. The cash on hand at the start and close of the reporting period.

Those that have to make that showing currently are:

1. A candidate **committee**; or
2. A **candidate for statewide office** who does not have a candidate committee.

A candidate for the House or the Senate doesn't even have to file that minimal disclosure. All this bill would do is adding legislative candidates to this list.

Right now a legislative candidate is required to file a "statement". For a candidate who has a candidate committee (which might be most of the legislative candidates) the committee is required to provide the three items, so it makes some sense to require the rest of the legislative candidates to similarly report.

Chairman Kasper, members of the Committee, I urge passage of HB 1289, to make the current disclosure requirements consistent among state level candidates. I would be happy to answer any questions that I can.