

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1370

2001 HOUSE POLITICAL SUBDIVISIONS

HB 1370

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB1370

House Political Subdivisions Committee

Conference Committee

Hearing Date 2-08-01

Tape Number	Side A	Side B	Meter #
1	xx		2100--4130
1		xx	3000-3359
Committee Clerk Signature <i>Pam Dewar</i>			

Minutes: Chair Froseth opened the hearing on HB1370 relating to supplemental campaign contribution statements.

Rep. Joe Kroeber, Dist 48 : testified in support of HB1370. (SEE ATTACHED TESTIMONY)

This will require political parties to file a supplemental statement on large donations received after the original statement filing time.

Chair Froseth : Aren't the political party and the candidate treated the same as far as time frame?

Rep. Kroeber : Yes.

Rep. Ekstrom : (2440) Is there a problem?

Rep. Kroeber : Sometimes there are large amounts that are given at the end of campaigns that are over \$500. These are not disclosed to the public. This bill addresses this issue.

Chair Froseth : Is it up to the district chair to ask for the proper forms?

Rep. Kroeber : You, as a candidate have to file and we want the state party to do the same. It's an infraction if you do not file. They will have the same responsibility as the candidate.

Rep. Grosz : This has not been changed since 1993. Is the \$500 O.K.?

Rep. Kroeber: The \$500 seems to be high enough even for state wide candidates. Not too many candidates we talked to get \$500 donations, maybe you in this committee do.

Cory Fong, Sec. of State Office : (2800) I'm here to answer any questions you may have. There is another bill, HB1426, which is similar, that is in judiciary right now. This bill has campaign reform in it. There are contributions that come in at the end of a campaign that should be reported. This bill 1370 addresses this issue. \$500 seems to be included in law in 1981. I don't think we have a need to up that. Federal campaigns are higher. We are supporting HB1426.

Rep. Eekre : In line 10, how does ND law address if someone lets you use a car for a campaign?

Cory : In chapter 16, contributions are defined as a gift, subscription, loans, and money. The problem with that question is who determines the value. Is based on market value?

Rep. Eekre : Say it's an office building that someone says a candidate can use for six months.

Cory : If the value is over \$500 you do need to report that by law.

Rep. Kretschmar : (3480) How many reports came in the last election?

Cory : Quite a number of them. Not so many at the legislative level, but state wide level.

Chair Froseth : Can you file electronically; name and amount?

Cory : We are receiving them by fax sometime, but we are slowly trying via e-mail. We don't have a statute that says you "shall" do e-mail. We have been working with the big campaigns to do this. We still need signatures, though.

Rep. Delmore : Have we more user friendly in the forms and do any bills address this?

Cory : We are constantly changing and improving, but I have come to the conclusion that no one reads the instructions. We have detailed instructions which are intimidating to some, I think.

We would like to implement electronic filing, but we always have the signature problem.

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House Political Subdivisions Committee
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Rep. Grosz : (3879) I have a problem with all the web sites and all the reporting that is available to the public. It has increased a great deal, but I wonder if the regular people are interested. I feel my opponent in the last election was the only one interested. Are these advances helping the public or the politician?

Cory : We have had a big increase in the volume our web site since this election cycle. Before the web, the information was not very accessible. This is a question more for you as the policy makers. Are we doing this for political parties or public. I think there is a nation wide movement for more disclosure and reform.

Chair Froseth : Any more testimony for or against? Hearing none, HB1370 is closed.

(Tape 1, slide B, 3000-3359) Chair Froseth : What do you wish on HB1370?

Rep. Kretschmar : On line 10, I move to delete *more than* and put in *in excess of*.

Rep. Delmore : I second.

VOICE VOTE: All YES. Amendment passed.

Rep. Delmore : I move a **DO PASS AS AMENDED.**

Rep. Ekstrom : I second.

VOTE: 14 YES and 0 NO with 1 absent. PASSED. Rep. Maragos will carry the bill.

10550.0101
Title.0200

Adopted by the Political Subdivisions
Committee

February 8, 2001

VR-
2/8/01

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1370

HOUSE AMENDMENT to HB1370 HOUSE POL. SUBS 2-9-01
Page 1, line 10, after "contribution" insert "in excess" and overstrike "or more"

Renumber accordingly

Date: 2-8-01
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1310

House POLITICAL SUBDIVISIONS Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass As Amended

Motion Made By Rep. Delmore Seconded By Rep. Ekstrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Glon Froseth	/		Rep. Wayne W. Tieman	/	
Vice-Chair Dale C. Severson	/				
Rep. Lois Delmore	/				
Rep. Rachael Disrud	/				
Rep. Bruce Eckro	/				
Rep. Mary Ekstrom	/				
Rep. April Fairfield		AB			
Rep. Michael Grosz	/				
Rep. Jane Gunter	/				
Rep. Gil Herbel	/				
Rep. Nancy Johnson	/				
Rep. William E. Kretschmar	/				
Rep. Carol A. Niemeier	/				
Rep. Andrew G. Maragos	/				

Total (Yes) 14 No 0

Absent 1

Floor Assignment Rep. Maragos

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

REPORT OF STANDING COMMITTEE (410)
February 9, 2001 8:33 a.m.

Module No: HR-24-2815
Carrier: Maragos
Insert LC: 10550.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1370: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1370 was placed on the Sixth order on the calendar.

Page 1, line 10, after "contribution" insert "in excess" and overstrike "or more"

Renumber accordingly

2001 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1370

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1370

Senate Government and Veterans Affairs Committee

Conference Committee

Hearing Date March 15, 2001

Tape Number	Side A	Side B	Meter #
2	X		1.0-7.1
2		X	37.0-39.0
Committee Clerk Signature <i>James A. Raik</i>			

Minutes: Chairman Krebsbach opened the hearing on HB 1370 which relates to supplemental campaign contribution statements. Appearing before the committee to introduce the proposed legislation was Representative Joe Kroeber, district 48. A copy of his written testimony is attached. Corey Fong with the Secretary of State's Office appeared in a neutral position on the bill. He indicated that the contents of this bill, the exact contents of this are included in the next bill HB 1426. What this bill does and what our bill does is require that 48 hour reporting would also apply to political parties. Actually ours is a little more substantial in that it also includes political committees. The 48 hour reporting would not only apply to political parties but also to political committees. The reference to 16.1-08.1-03 is to reporting of contributions by candidates. Our particular bill obviously also makes those cross references and the additional prospect of political committee. One difference between their bill and this particular bill and now that I , in the original version of this bill is that they had not added the in excess in the middle, so that it would still apply to contributions of \$500 or more. We make it consistent with

threshold reporting throughout the campaign finance code which is anything in excess of the threshold which seems consistent. Anytime you were to receive a contribution in excess of \$500 you have to report that if it came within that window of time before the election after you filed that report. **Senator T. Mathern** indicated he did not quite understand the difference. Are you suggesting there is a difference between this bill and the next or it is in fact the same. **Corey Fong** indicated that it is the same bill now after they amended it. The only difference is that the secretary of state's bill is a little more expansive in that their's is applied to political committees as well. **Senator C. Nelson** inquired for clarification, because she is never sure how to interpret that 48 hours that you have to file within. You file it within 48 hours of the receipt. Does that mean it has to be in your office or postmarked or faxed or what are your rules on this 48 hour thing? **Corey Fong** indicated it would be within 48 hours of your receipt of the contribution. **Senator C. Nelson**, it doesn't have to be in your office in 48 hours? Mr. Fong indicated you have to report it to our office within 48 hours. That 48 hours, the clock starts ticking when you receive it. You need to file it within 48 hours which means faxing it. **Senator Dever** inquired if he was reading this wrong or does it just apply to statewide initiative and referendum petitions. **Mr. Fong** indicated that this would apply to candidates, political parties, and persons accepting contributions for the purpose of aiding or opposing a measure. **Chairman Krebsbach** indicated that on line 9, that is the language she thinks Senator Dever is referring to. **Mr. Fong** indicated that this goes back to line 7 where the whole clause starts. **Senator C. Nelson** indicates that this confuses the issues. **Mr. Fong** indicated that there may be some grammatical confusion and we can work on fixing that. There was no further testimony offered in support of, in neutral position on, or in opposition to HB 1370. **Chairman Krebsbach** closed the hearing on HB 1370. Committee discussion briefly took place on HB 1370. **Senator T. Mathern** made some

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Senate Government and Veterans Affairs Committee

Bill/Resolution Number HB 1370

Hearing Date March 15, 2001

comments concerning the bill with additional comments by **Senators C. Nelson** and **Dever**.

Senator C. Nelson moved a Do Pass on HB 1370, seconded by **Senator Wardner**. Roll call vote indicated 6 Yeas, 0 Nays, and 0 Absent or Not Voting. **Senator C. Nelson** will carry the bill.

Date: 3/15/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1370 (Elyrossed)

Senate GOVERNMENT AND VETERAN'S AFFAIRS Committee

- Subcommittee on _____
- or
- Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen. C Nelson Seconded By Sen. Wardner

Senators	Yes	No	Senators	Yes	No
Senator Karen Krebsbach, Chr.	✓		Senator Carolyn Nelson	✓	
Senator Dick Dever, Vice-Chr.	✓		Senator Tim Mathern	✓	
Senator Ralph Kilzer	✓				
Senator Rich Wardner	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. C. Nelson

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

REPORT OF STANDING COMMITTEE (410)
March 15, 2001 4:51 p.m.

Module No: SR-45-5775
Carrier: C. Nelson
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1370, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1370 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1370

