

2019 SENATE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE

SB 2248

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

SB2248
1/24/2019
31359

- Subcommittee
 Conference Committee

Committee Clerk Signature : Pam Dever

Explanation or reason for introduction of bill/resolution:

Relating to issuance of press release by Secretary of State regarding contribution statements.

Minutes:

Att #1 – Sen Marcellais

Chairman Davison: Call the committee to order. Attendance was taken and all were present. Who is here in support?

Sen David Clemens, Dist. 16, West Fargo: I am here to introduce SB2248. I am here on behalf of the Secretary of State. We want to create a new subsection to 16.1-08.1-06. He gave a history of the subject matter. Contribution means a gift, transfer, conveyance, provision, receipt, subscription, loan advance, deposit of money, or anything of value made for the purpose of influencing a nomination for election or election of any person to public office or aiding of circulating a petition of a state wide initiative or referendum petition or measure. A person means an individual, partnership, political committee, association, cooperation, cooperative association, limited liability company or other organization or group of persons. The revenue received in excess of \$200, which pertains to candidates, need to be reported by the name of the person, mailing address, state of most recent expense made, purposes for which the expenditure was disbursed. Special requirements for statements require of persons engaged in activities involving ballots measures. The main purpose of this bill is to cover the ballot measures. The threshold for reporting is \$100 for activities described above. A contribution from out of state include stating a person who contributed over \$100, name and mailing address of each person; occupation and address of employer's principle place of business. The sponsoring committee must file with the Secretary of State. The Secretary of State has the dates and requirements sponsoring committees must follow upon delivery of signatures. All information must be made public 24 hours after filling the signatures. (1.09-5.12) This bill does not change statute as far as recording contributors but directing Secretary of State to inform the public of where this information can be found.

Vice Chair Meyer: (6.24) Is there a time line right now after a deadline that has to be reported?

Sen Clemens: There is a dead line about electronic filing must be done by all contributors. L.C. did not find anything stating that the public needs to be notified where they can find the information. The information is recorded, and electronically available, but how many people know where to find it.

Sen. Erin Oban: (7.10) Do you if the Secretary of State sends out a press release after that right now?

Sen Clemens: According to statute, they do not.

Sen. Erin Oban: It is not required, but often press release are a regular practice. Issuing a press release does not require the press to cover it, is my concern. (7.45) Your goal is a good one.

Sen Clemens: Correct.

Chairman Davison: It says press release. We get people coming in here asking us stuff because lots of people do not read the newspaper, so they get information in other ways. In this bill you want the press release. Would you consider other types of wording in here? (8.47) With a press release you are telling a narrow group of people.

Sen Clemens: I would be fine with amendments that would broaden the scope of informing the public.

Chairman Davison: Any more testimony in support?

Sen. Richard Marcellais, Dist. 9, Belcourt: (10.24) I am here in support. (see att# 1)

Chairman Davison: More in support? Agency? You can share information.

Jim Silrum, Deputy Secretary of State: No, at this point we do not put out press releases that the signatures have been submitted. We do make a change in our banner on our website, that they are available. It states 24 hours. That does not always provide for greatest ease on the press release. What happens when a dead line falls on a Saturday or Sunday? Within 24 hours is difficult. 48 hours' statements that are due within the 39 days leading up to an election, relates to candidate receiving more than \$500, they have 48 hours to provide that statement to us through electronic means. (13.05) Maybe the committee wants to exclude this requirement of 48 hour statements or we give a press release within a certain period of time after every 48-hour statement comes in. We do not disagree with this bill. Just please consider the factors I talked about. Questions?

Sen. Shawn Vadaa: How many different deadlines out there that this would cover?

Jim: This would cover, in odd number years, cover the year end statements. In even number years, it would be the pre-primary and pre-general elections, and also the 48 hour statements. For sponsoring committees can happen at any time. There is no set date. When they turn in petitions, there is a filing deadline. Then they want us to preview and check the measure, there is a deadline.

Chairman Davison: Thank you. Any more testimony? Any against? Seeing none we will close the hearing. (16.06)

2019 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Sheyenne River Room, State Capitol

SB2248
1/31/2019
31863

- Subcommittee
 Conference Committee

Committee Clerk Signature : Pam Dever

Explanation or reason for introduction of bill/resolution:

Relating to insurance of press release by secretary of state regarding contribution statements

Minutes:

Chairman Davison: Look at SB2248. Any discussion?

Sen. Kristin Roers: In my notes, I underline the 24 hour provisions and do we exclude the 48 hour statements. Issuing a press release does not insure all see it anyway.

Chairman Davison: I had concern about the same thing.

Sen. Shawn Veda: How many press release are we talking about?

Chairman Davison: Not sure.

Sen. Kristin Roers: I move a DO NOT PASS.

Sen. Erin Oban: I second.

Chairman Davison: Any discussion?

Sen. Erin Oban: I appreciate the sentiment but don't believe it accomplishes anything.

Chairman Davison: I am there too. Roll: **YES -- 6 NO -- 1 -0-absent**

DO NOT PASS - PASSED

Sen. Erin Oban will carry the bill.

11/30/19

Date:
Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES SB 2248
BILL/RESOLUTION NO.

Senate 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 Sen. Roers Seconded By Sen. Oban

Senators	Yes	No	Senators	Yes	No
Chairman Davison	/		Senator Marcellais		/
Vice Chairman Meyer	/		Senator Oban	/	
Senator Elkin	/				
Senator Roers	/				
Senator Vedaa	/				

Total (Yes) 4 No 1

Absent -0-

Floor Assignment Sen. Oban

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

REPORT OF STANDING COMMITTEE

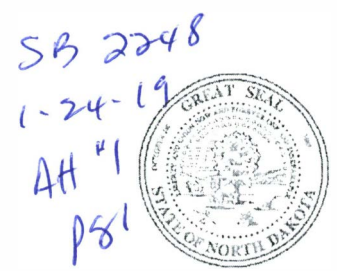
SB 2248: Government and Veterans Affairs Committee (Sen. Davison, Chairman)
recommends **DO NOT PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING).
SB 2248 was placed on the Eleventh order on the calendar.

2019 TESTIMONY

SB 2248

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COMMITTEES:
Education
Government and Veterans Affairs

Testimony

Senate Bill No. 2248

Government and Veterans Affairs Committee

Senator K. Davison, Chairman

January 24, 2019

Chairman Davison, members of the Government Veteran Affairs Committee, for the record my name is Richard Marcellais, Senator from District 9, of Belcourt I am here today to provide testimony in support of Senate Bill 2248.

Senate Bill 2248 would allow Secretary of State to issue a press release contribution statements.

The Secretary of State within twenty-four hours of the filing deadline would issue a statement Of where the statement can be found or accessed electronically and what information is contained in the statement.

Thank You very much for the opportunity to appear in support of Senate Bill 2248. If there are any questions I will try and answer them.