

# Bill as Introduced

HB 1681-FN - AS INTRODUCED

2012 SESSION

12-2443  
03/10

HOUSE BILL

***1681-FN***

AN ACT

relative to reporting political expenditures and contributions.

SPONSORS:

Rep. Cohn, Merr 6; Rep. Pierce, Graf 9; Rep. Comerford, Rock 9; Rep. Birdsell,  
Rock 8

COMMITTEE:

Election Law

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ANALYSIS

This bill requires that reports of political expenditures and contributions be filed electronically.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twelve*

AN ACT relative to reporting political expenditures and contributions.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Reports. Amend RSA 664:6, I to read as follows:

2 I. Any political committee whose receipts or expenditures in support of a candidate,  
3 measure, or political party exceed \$500 except, for the purposes of this paragraph only, the political  
4 committee of a political party or the political committee of a candidate, shall file with the secretary of  
5 state an itemized statement, signed ***or authenticated in a manner acceptable to the secretary***  
6 ***of state*** by its chairman and treasurer showing each of its receipts exceeding \$25 with the full name  
7 and home post office address of the contributor in alphabetical order and the amount of the  
8 contribution, the date it was received, and the aggregate total for each election for each contributor of  
9 over \$100. The statement shall be filed not later than the Wednesday 12 weeks immediately  
10 preceding a primary election, before 5 o'clock in the afternoon, and shall cover the period from the  
11 day of the committee registration up to and including the Monday before the statement is due. All  
12 receipts of \$25 or under shall appear on the statements as unitemized receipts. Any listing which  
13 exceeds an individual's aggregate total of \$100 for each election shall be accompanied by the  
14 contributor's occupation including official job title, the name of the contributor's employer, and the  
15 city or town of the contributor's principal place of business, if any. The statement shall also show  
16 each committee expenditure with the full name and city or town of persons, corporations,  
17 committees, or to whomever paid or to be paid, the date paid, and the election for which the  
18 expenditure was made, with the specific nature and amount of each expenditure since the date of the  
19 registration. ***The statement shall be filed electronically, except that where circumstances***  
20 ***make electronic filing impracticable, the secretary of state may accept a paper statement if***  
21 ~~***it is accompanied by a fee to cover the cost of conversion to electronic form by the secretary***~~  
22 ***of state.***

23 2 Filing by Facsimile. Amend RSA 664:9-a to read as follows:

24 664:9-a Itemized Statements Filed by Facsimile Transmission. The sworn itemized statements  
25 required to be filed by a political committee or a candidate or on the candidate's behalf as required by  
26 RSA 664:6, 664:7, and 664:7-b may be filed by means of a facsimile transmission; provided, however,  
27 that a statement which is transmitted electronically or telephonically by a facsimile device shall also  
28 be filed by a political committee or a candidate or on the candidate's behalf not later than the last  
29 day of each filing period under RSA 664:6, 664:7, and 664:7-b if a facsimile transmission is used ***and***  
30 ***shall be subject to the fee authorized by RSA 664:6, I.***

31 3 Public Inspection. Amend RSA 664:11 to read as follows:

HB 1681-FN - AS INTRODUCED

- Page 2 -

1       664:11 Public Inspection. All statements, assents, and registrations filed by state committees,  
2 candidates, and political committees shall be open to public inspection. The secretary of state shall  
3 publish *in a searchable format* on the Internet *all* information on [all] contributions *and*  
4 *expenditures* reported under this chapter [~~including the name of the contributor, the contributor's~~  
5 ~~home state, and the date of the contribution~~].

6       4 Repeal. RSA 664:6, VI, relative to copies of statements, is repealed.

7       5 Effective Date. This act shall take effect January 1, 2013.

LBAO  
12-2443  
01/03/12

**HB 1681-FN - FISCAL NOTE**

**AN ACT**            relative to reporting political expenditures and contributions.

**FISCAL IMPACT:**

The Office of Legislative Budget Assistant is unable to complete a fiscal note for this bill as it is awaiting information from the Department of State. When completed, the fiscal note will be forwarded to the House Clerk's Office.

# Speakers



# Hearing Minutes



HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1681-FN

**BILL TITLE:** relative to reporting political expenditures and contributions.

**DATE:** 2/14/2012

**LOB ROOM:** 308      **Time Public Hearing Called to Order:** 12:22

**Time Adjourned:** 12:45

(please circle if present)

**Committee Members:** Reps. Bates, Scala, Drisko, Hoelzel, Doherty, Eaton, Baldasaro, Wm Smith, Birdsell, Byrnes, DeJong, DeLemus, Erickson, Reilly, Thomas, Cote, Pierce, Perry, Gimas and Leishman.

**Bill Sponsors:** Rep. Seth Cohn, Merr. 6

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. Cohn** – Bill brings us into the 21<sup>st</sup> century. HB 1387 2010 same issue of recognizing contributions into the campaigns. We should be able to follow the money. It is not searchable and it needs to be searchable online. Expose where the money is coming from. The reporting is on the end of those receiving the money at this time.

**Rep. Dino Scala** – What makes electronic filing impracticable?

**Rep. Cohn** – cumbersome for many. Some don't use email. The Secretary of State can now charge a fee.

**Rep. Dino Scala** – The fee?

**Rep. Cohn** – It's not in here. Maybe \$1.00 - \$2.00 for cost of conversion

**Rep. David Bates** – Can you search for all?

**Deputy Scanlon** – Maybe

**Rep. J. Thomas** – Right now we have a format to file on line?

**Deputy Scanlan** – Yes, a couple of different ways

**Baldasaro** – Cost = Do you think it's ready?

**Deputy Scanlan** – Need study committee. How is it going to look?

**Rep. D. Bates** – Constitutional, even with \$1.00 filing fee there is a process without cost. Would this undermine constitutional rights to have to have a computer and pay a fee?

**Deputy Scanlan** – Should be able to work it out.

**Rep. D. Bates** – It's a good idea but can we REQUIRE someone to use this system?

**Rep. Richard Drisko** – Those of us who can't use this system would be comprised.

Respectfully submitted,

*Susan C. DeLemus*

Rep. Susan DeLemus, Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1681-FN

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Rep. Scott

Bill Sponsors: {Type SPONSORS' NAMES} Cohn, Merr. G

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

Bill brings us into 21 Century. HB 1367 2010 same issue recognize contributions into the sun. We should be able to follow the \$. It is not searchable. We need to make it searchable on line. Expose where the \$ is coming from. The reporting is ~~not~~ on the end of those receiving the \$ at this time.

Scala = What makes electronic filing inapraclicable.

Cohn = Cumbersome for many. Some don't use email. The SOS can now charge a fee.

Scala The fee?

Cohn. It's not in here. maybe \$1.00 \$2.00 for cost of conversion

Gimas = Political committees?

Cohn = Would require political parties

Gimas = 2010 \$25.00 for faxes + SOS.

Cohn = You could reg w/ electronic (free)  
paper, fax any other way = \$

Baldasaro = You would have to be a computer  
geek to file?

~~Cohn~~ = Yes does need to be done electronically or  
there's a fee.

Cote = Currently allowed to file electronically

Cohn = Yes

\* Would make it searchable data like in  
federal government.

## Deputy Scanlan INFO

Appreciated Cohn's proposal. Any candidate  
can use current system. If committee wants to  
do this. Pressure from outside who want to see.  
Lobbyists need to be on file as well. If it goes  
on line, needs to be looked at. Suggest committee  
to work on this get price tag and present for the  
next budget.

Bates = As is right now. How much?

Scanlan = Don't know. making it a requirement  
is a problem for those who can't even handle  
email. Has to be workable.

Bates = Right now any capability?

Scanlan = Yes but it's not easy.

Bates - Can you search ~~of~~ for all?

~~Thomas~~ - Maybe  
Scanlan

Thomas = Right now have format to file on line?

Scanlan = Yes a couple different ways.

Baldasaro = 1<sup>st</sup> time ever heard you could use electronic  
Transparency - why can't you just put this in  
your budget w/out making it a law.

Scanlan = Best product when you pull in those who use  
it. Still need to ask for \$

Baldasaro - Cost = Do you think is ready?

Scanlan = Need study committee. How its going to look  
etc...

Bates = Constitutional, even \$100 filing fee there is a  
process w/out cost. Would this undermine  
constitutional rights to have to have a computer  
+ pay a fee

Scanlan = Should be able to work it out

Bates = I a good idea but can we REQUIRE someone  
to use this system.

Drisko = Those of us who can't use this system would  
be compromised.

# Sub-Committee Actions

HOUSE COMMITTEE ON ELECTION LAW  
SUBCOMMITTEE WORK SESSION ON HB 1681-FN

**BILL TITLE:** relative to reporting political expenditures and contributions.

**DATE:** September 25, 2012

**Subcommittee Members:** Reps. Baldasaro, Leishman, Birdsell, DeLemus, Perry and Bates

**Comments and Recommendations:** We support transparency at this time. We can not support the electronic filings requiring where many don't have the means.

**Amendments:**

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. Bates

Seconded by Rep. Baldasaro

Vote: 2-1

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Al Baldasaro  
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON ELECTION LAW  
SUBCOMMITTEE WORK SESSION ON HB 1681-FN

**BILL TITLE:** relative to reporting political expenditures and contributions.

**DATE:** September 25, 2012

**Subcommittee Members:** Reps. Baldasaro, <sup>Perry, Batas</sup> ~~Loichman, Birdsell, and DeLemus~~

**Comments and Recommendations:**

*We support transparency but at this time we can not support  
The electronic filings <sup>requirements</sup> where many don't have the means.*

**Amendments:**

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

*None*

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. *Batas*

*2-1 Perry*

Seconded by Rep. *Baldasaro*

Vote:

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. *Baldasaro*  
Subcommittee Chairman/Clerk



# Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1681-FN

**BILL TITLE:** relative to reporting political expenditures and contributions.

**DATE:** 2/16/2012

**LOB ROOM:** 308

**Amendments:**

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

**Motions:** OTP, OTP/A, ITL, ~~Interim Study~~ (Please circle one.)

Moved by Rep. Birdsell

Seconded by Rep. Pierce

Vote: 11-0 (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. ~~Boggs~~

Seconded by Rep. ~~Boggs~~

Vote: (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE: YES**

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Susan DeLemus, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1681-FN

BILL TITLE: relative to reporting political expenditures and contributions.

DATE: 2/16/12

LOB ROOM: 308

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL Interim Study (Please circle one.)

Moved by Rep. *Thomas Birdsell*

*ITL withdrawn*  
Seconded by Rep. *Perry Pierce*

Vote: 11-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: ~~no~~ *yes*

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. ~~Kathleen Hoelzel~~, Clerk

*Susan DeLemus*

ELECTION LAW

Bill #: HB 1681-FW Title: relative to reporting political expenditures and contributions

PH Date: 2/14/12

Exec Session Date: 2/16/12

Motion: FT Interim Study

Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Bates, David, Chairman	✓	
Scala, Dino A, V Chairman		
Drisko, Richard B	✓	
Hoelzel, Kathleen M, Clerk	✓	
Doherty, Shaun S		
<del>Eaton, Stephanie</del>		
Baldasaro, Alfred P		
Smith, William B		
Birdsell, Regina M	✓	
Byrnes, John J		
DeJong, Cameron W		
DeLemus, Susan C	✓	
Erickson, Duane H		
Reilly, Harold T		
Thomas, Joseph D	✓	
Cote, David E	✓	
Perry, Robert J	✓	
Pierce, David M	✓	
Leishman, Peter R	✓	
Gimas, John G		
Daler, Jennifer	✓	

TOTAL VOTE: YEAS 11 NAYS 0  
 Printed: 1/27/2012

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1681-FN

**BILL TITLE:** relative to reporting political expenditures and contributions.

**DATE:** October 16, 2012

**LOB ROOM:** 308

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. Baldasaro

Seconded by Rep. Hoelzel

Vote: 10-0 (Please attach record of roll call vote.)

Motions: Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:**

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Kathleen Hoelzel, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1681-FN

**BILL TITLE:** relative to reporting political expenditures and contributions.

**DATE:** October 16, 2012

**LOB ROOM:** 308

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep. *Balderson*

Seconded by Rep. *Hoelzel*

Vote: (Please attach record of roll call vote.)

*10-0*

**Motions:** Recommended or Not Recommended for Future Legislation (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:**

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Kathleen Hoelzel, Clerk

ELECTION LAW

Bill #: HB 1681 Title: Relayee to Reporting Political expenditures

PH Date: 1 / 1

Exec Session Date: 10 / 16 / 2012

Motion: NOT recommended Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Bates, David, Chairman /	/	
Scala, Dino A, V Chairman		
Drisko, Richard B ✓	/	
Hoelzel, Kathleen M ✓	/	
Doherty, Shaun S		
Eaton, Stephanie		
Baldasaro, Alfred P ✓	/	
Smith, William B		
Birdsell, Regina-M <u>Barry</u> ✓	/	
Byrnes, John J		
DeJong, Cameron W		
DeLemus, Susan C, Clerk		
Erickson, Duane H		
Reilly, Harold T /	/	
Thomas, Joseph D /	/	
Cote, David E /	/	
Perry, Robert J		
Pierce, David M <u>Horrigan</u> /	/	
Leishman, Peter R		
Gimas, John G /	/	

TOTAL VOTE:  
Printed: 2/17/2012

10

0

# Committee Report



**CONSENT CALENDAR**

**February 16, 2012**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on ELECTION LAW to which was referred HB1681-FN,**

**AN ACT relative to reporting political expenditures and contributions. Having considered the same, report the same with the recommendation that the bill be REFERRED FOR INTERIM STUDY.**

**Rep. Regina M Birdsell**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>ELECTION LAW</b>
Bill Number:	<b>HB1681-FN</b>
Title:	<b>relative to reporting political expenditures and contributions.</b>
Date:	<b>February 16, 2012</b>
Consent Calendar:	<b>YES</b>
Recommendation:	<b>REFER TO COMMITTEE FOR INTERIM STUDY</b>

### STATEMENT OF INTENT

This bill was brought forth to bring more transparency into political expenditures and contributions arena by requiring any political committee whose receipts or expenditures in support of a candidate measure or political party exceeds \$500.00 by filing electronically. However, there were some concerns regarding the user friendliness of the Secretary of State's website, so the committee decided to bring this bill to an interim study. The committee felt the bill has merit and would like to work with the Secretary of State to look into feasible options for improving their website to allow a more transparent means into reporting political expenditures and contributions.

Vote 11-0.

Rep. Regina M Birdsell  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

**.CONSENT CALENDAR**

**ELECTION LAW**

**HB1681-FN**, relative to reporting political expenditures and contributions. **REFER TO COMMITTEE FOR INTERIM STUDY.**

Rep. Regina M Birdsell for **ELECTION LAW**. This bill was brought forth to bring more transparency into political expenditures and contributions arena by requiring any political committee whose receipts or expenditures in support of a candidate measure or political party exceeds \$500.00 by filing electronically. However, there were some concerns regarding the user friendliness of the Secretary of State's website, so the committee decided to bring this bill to an interim study. The committee felt the bill has merit and would like to work with the Secretary of State to look into feasible options for improving their website to allow a more transparent means into reporting political expenditures and contributions. **Vote 11-0.**

Original: House Clerk  
Cc: Committee Bill File

HB 1681-FN  
Interim Study  
11-0  
Consent

This bill was brought forth to bring more transparency into political expenditures and contributions arena by requiring any political committee whose receipts or expenditures in support of a candidate measure or political party exceeds \$500.00 by filing electronically. However, there were some concerns regarding the user friendliness of the Secretary of State's website, so the committee decided to bring this bill to an interim study. The committee felt the bill has merit and would like to work with the Secretary of State to look into feasible options for improving their website to allow a more transparent means into reporting political expenditures and contributions.

Rep. Regina Birdsell

*David Bates*

# COMMITTEE REPORT

COMMITTEE: Election Law

BILL NUMBER: HB 1681-FN

TITLE: relative to reporting political expenditures  
and contributions

DATE: 5/16/12 CONSENT CALENDAR: YES  NO

- OUGHT TO PASS  
 OUGHT TO PASS W/ AMENDMENT  
 ~~INEXPEDIENT TO LEGISLATE~~  
 INTERIM STUDY (Available only 2<sup>nd</sup> year of biennium)

Amendment No.  
\_\_\_\_\_

## STATEMENT OF INTENT:

An act relative to reporting political expenditures & contributions. This bill was brought forth to bring more transparency into political expenditures & contribution arena, by requiring any political committee whose receipts or expenditures in support of a candidate measure or political party exceeds \$500 by filing electronically. However, there were some concerns regarding the user-friendliness of the SoS's website, so the committee decided to bring this bill to an interim study. The committee felt the bill has merit & would like to work w/ the SoS to

COMMITTEE VOTE: 11-0

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Regina Bidsell  
For the Committee

# INTERIM STUDY COMMITTEE REPORT

COMMITTEE: Election Law  
BILL NUMBER: HB 1681-FN  
TITLE: relative to reporting political expenditures and contributions.  
DATE: October 16, 2012

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- RECOMMENDED FOR FUTURE LEGISLATION
- NOT RECOMMENDED FOR FUTURE LEGISLATION
- 
- 

STATEMENT OF INTENT: (May be handwritten)

This bill would mandate electronic filing of contributions and expenditures reports by all candidates and political committees. The committee fully supports transparency, but at this time there are several obstacles which make this legislation undesirable. There are still many people who do not own or use computers, various parts of the state still have inadequate internet access, and there would be an undetermined new IT expense to the Secretary of State to implement these requirements.

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COMMITTEE VOTE: 10-0 (Attach Committee Voting Sheet)

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Rep. Alfred P. Baldasaro

**INTERIM STUDY  
COMMITTEE REPORT.**

COMMITTEE: Elect. Law  
BILL NUMBER: HB 1681 - FN  
TITLE: Relative to reporting Political expenditures  
and contributions  
DATE: 10/16/2017

RECOMMENDED FOR FUTURE LEGISLATION

NOT RECOMMENDED FOR FUTURE LEGISLATION

STATEMENT OF INTENT: (May be handwritten)

We support Transparency but at this time we  
can NOT support electronic Filing's requiring to file  
where many do NOT have the means to support at  
this time

COMMITTEE VOTE: 10-0 (Attach Committee Voting Sheet)

Rep. 

For the Committee