

Bill as  
Introduced

HB 612 - AS INTRODUCED

2013 SESSION

13-0182

03/01

HOUSE BILL

**612**

AN ACT

requiring a disclosure statement by persons seeking a party's nomination for elective office.

SPONSORS:

Rep. Tremblay, Rock 4

COMMITTEE:

Election Law

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ANALYSIS

This bill requires a disclosure statement by persons seeking a party's nomination for elective office to be filed with the declaration of candidacy.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT requiring a disclosure statement by persons seeking a party's nomination for elective office.

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

1 1 Filing for Nomination. Amend RSA 655:14 to read as follows:

2 655:14 Filing: General Provisions. The name of any person shall not be printed upon the ballot  
3 of any party for a primary unless he or she is a registered member of that party, he or she shall have  
4 met the age and domicile qualifications for the office he or she seeks at the time of the general  
5 election, he or she meets all the other qualifications at the time of filing, and he or she shall file with  
6 the appropriate official between the first Wednesday in June and the Friday of the following week a  
7 declaration of candidacy as provided in RSA 655:17 **and a disclosure statement as provided in**  
8 **RSA 655:17-d.**

9 2 New Section; Disclosure Statement. Amend RSA 655 by inserting after section 17-c the  
10 following new section:

11 655:17-d Disclosure Statement.

12 I. Disclosure statements shall be in the following form and signed by the candidate:

13 I, \_\_\_\_\_, declare I am a candidate for nomination for the office of  
14 \_\_\_\_\_ (or for delegate to the state convention) to be made at the primary election to  
15 be held on the \_\_\_\_\_ day of \_\_\_\_\_; and I hereby declare that (check all that apply):

16  I am in agreement with all provisions of the platform of the \_\_\_\_\_ party

17  I am in agreement with the platform of the \_\_\_\_\_ party except for the following  
18 provisions: \_\_\_\_\_

19  I am affiliated with the federal or state government in the following  
20 capacity: \_\_\_\_\_

21  I am receiving or entitled to a federal, state, or local government pension

22  Within the last 2 years, I have received the following gifts, salary, or compensation from  
23 nongovernment or nonprofit organizations: \_\_\_\_\_

24  I have been or will be associated with the following clubs, nongovernment or nonprofit  
25 organizations, or other institutions: \_\_\_\_\_

26  I will not vote on or participate in any matter in which I have a pecuniary interest

27 II. The official receiving the disclosure statement shall make the disclosure statement  
28 available for public review and shall cause a copy of the disclosure statement to be posted to each  
29 polling place in the candidate's district on the day of the primary election.

30 3 Effective Date. This act shall take effect 60 days after its passage.

# Speakers



# Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 612

**BILL TITLE:** requiring a disclosure statement by persons seeking a party's nomination for elective office.

**DATE:** 2/7/13

**LOB ROOM:** 308      **Time Public Hearing Called to Order:** 10:20 am

**Time Adjourned:** 10:40 am

(please circle if present)

**Committee Members:** Reps. Cote, Knowles, Perry, Moody, Levesque, Ward, Connor, Gage, Till, G. Richardson, Jasper, Marston, Souza, Gray, Comerford, J. Sweeney, Birdsell and Hoelzel.

**Bill Sponsors:** Rep. Tremblay, Rock 4

TESTIMONY

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

**Rep. Tremblay** – Present system person can declare party. She feels a person should be able to state that they do not agree with whichever party's platform. The public needs to know how a person/candidate feels about the issues of that party. She feels that when a person states their position and then votes opposite that stated position there should be a way to remove the person from office.

To the question of the cost to inform the public of the candidate's position, Rep. Tremblay responded that it need not be costly. She feels that if running under a certain party the candidate should not be able to use that party to hide the reason.

Respectfully submitted,



Kathleen M. Hoelzel, Clerk

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 612

BILL TITLE: requiring a disclosure statement by persons seeking a party's nomination for elective office.

DATE: 2/7/13

LOB ROOM: 308

Time Public Hearing Called to Order: 10<sup>30</sup> ~~am~~

Time Adjourned: 10<sup>40</sup> ~~am~~

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Committee Members: Reps. Cote, Knowles, Perry, Moody, Levesque, Ward, Connor, Gage, Gill, G. Richardson, Jasper, Marston, Souza, Gray, Comerford, J. Sweeney, Birdsell and Hoelzel.

Bill Sponsors: {Type SPONSORS' NAMES}

Rep Tremblay Rock, 4.

TESTIMONY

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

Rep Tremblay - Present system person can declare party. She feels a person should be able state that they do not agree with whichever parties platform. The public needs to know how a person/candidate feels about the issues of that party. She feels that when a person states their position and then votes opposite that stated position there should be a way to remove the person from office. as the question of the cost to inform the public of the candidate's position Rep Tremblay responded that it need not be costly. She feels that if running under a certain party the candidate should not be able to use that party to hide the reason.



# Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 612

**BILL TITLE:** requiring a disclosure statement by persons seeking a party's nomination for elective office.

**DATE:** 2/19/13

**LOB ROOM:** 308

**Amendments:**

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

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

Moved by Rep. Jasper

Seconded by Rep. Knowles

Vote: 17-0 (Please attach record of roll call vote.)

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

Moved by Rep.

Seconded by Rep.

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. Kathleen M. Hoelzel, Clerk

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 612

**BILL TITLE:** requiring a disclosure statement by persons seeking a party's nomination for elective office.

**DATE:** 5/9/13

**LOB ROOM:** 308

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. *Jasper*

Seconded by Rep. *Knowles*

Vote: (Please attach record of roll call vote.) 17-0

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

Moved by Rep.

Seconded by Rep.

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. Kathleen M. Hoelzel*  
Rep. Kathleen M. Hoelzel, Clerk



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

1/10/2013 9:19:02 AM  
Roll Call Committee Registers  
Report

2013 SESSION

ELECTION LAW

Bill #: HB 612 Title: requiring a disclosure statement by persons seeking  
the party's nomination for elective office

PH Date: 02/07/2013 Exec Session Date: 02/19/2013

Motion: ITL Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Cote, David E, Chairman	✓	
Knowles, Mary Ann , V Chairman	✓	
Perry, Robert J	✓	
Levesque, Melanie A	✓	
Gage, Ruth E	✓	
Moody, Marcia G	✓	
Richardson, Gary B	✓	
Connor, Evelyn M	✓	
Till, Mary L	✓	
Ward, Gerald W.R.	✓	
Jasper, Shawn N	✓	
Hoelzel, Kathleen M, Clerk	✓	
Comerford, Timothy P	✓	
Birdsell, Regina M	✓	
Souza, Kathleen F	✓	
Gray, James P	✓	
Marston, Dick	✓	
Sweeney, Joe		
<b>TOTAL VOTE:</b>	<u>17</u>	<u>0</u>

# Committee Report

**CONSENT CALENDAR**

**February 21, 2013**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

The Committee on ELECTION LAW to which was referred HB612,

AN ACT requiring a disclosure statement by persons seeking a party's nomination for elective office. Having considered the same, report the same with the following Resolution: RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

**Rep. Shawn N Jasper**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>ELECTION LAW</b>
Bill Number:	<b>HB612</b>
Title:	<b>requiring a disclosure statement by persons seeking a party's nomination for elective office.</b>
Date:	<b>February 21, 2013</b>
Consent Calendar:	<b>YES</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### STATEMENT OF INTENT

While the committee is supportive of full disclosure by candidates and office holders, we believe that the declaration of candidacy form is not the proper venue for the disclosures sought in this bill. The bill is unclear as to whether all the disclosures are mandatory or optional, but the plain reading of the bill and the testimony of the sponsor seems to make them mandatory. The bill would require candidates in a primary election to state that they agree with their party platform or point out the areas with which they disagree, something few of us could likely do on any given day. Among other disclosures, it would require candidates to list the clubs and non-governmental or non-profit organizations with which they are, or are likely to become, affiliated. It would also require candidates to agree that they would not vote or participate in matters in which they have a pecuniary interest, something that goes well beyond the requirements of law or ethics guidelines.

Vote 17-0.

Rep. Shawn N Jasper  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### ELECTION LAW

**HB612**, requiring a disclosure statement by persons seeking a party's nomination for elective office.  
**INEXPEDIENT TO LEGISLATE.**

Rep. Shawn N Jasper for ELECTION LAW. While the committee is supportive of full disclosure by candidates and office holders, we believe that the declaration of candidacy form is not the proper venue for the disclosures sought in this bill. The bill is unclear as to whether all the disclosures are mandatory or optional, but the plain reading of the bill and the testimony of the sponsor seems to make them mandatory. The bill would require candidates in a primary election to state that they agree with their party platform or point out the areas with which they disagree, something few of us could likely do on any given day. Among other disclosures, it would require candidates to list the clubs and non-governmental or non-profit organizations with which they are, or are likely to become, affiliated. It would also require candidates to agree that they would not vote or participate in matters in which they have a pecuniary interest, something that goes well beyond the requirements of law or ethics guidelines. **Vote 17-0.**

Original: House Clerk  
Cc: Committee Bill File



HB 612

Election Law

Inexpedient to Legislate 17-0, Consent Calendar

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Shawn N. Jasper

HB 612

ITL 17-0 – Consent Calendar

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Shawn N. Jasper for the Committee

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HB 612

ITL 17-0 – Consent Calendar

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Shawn N. Jasper for the Committee

HB 612

ITL 17-0 – Consent Calendar

While the committee is supportive of full disclosure by candidates and office holders, we believe that the declaration of candidacy form is not the proper venue for the disclosures sought in this bill. The bill is unclear as to whether all the disclosures are mandatory or optional, but the plain reading of the bill and the testimony of the sponsor seems to make them mandatory. The bill would require candidates in a primary election to state that they agree with their party platform or point out the areas with which they disagree, something few of us could likely do on any given day. Among other disclosures, it would require candidates to list the clubs and non-governmental or non-profit organizations with which they are, or are likely to become, affiliated. It would also require candidates to agree that they would not vote or participate in matters in which they have a pecuniary interest, something that goes well beyond the requirements of law or ethics guidelines.

Shawn N. Jasper for the Committee

OK - DJ

**Culberson, Kay**

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**From:** Cote, David  
**Sent:** Tuesday, February 19, 2013 7:56 PM  
**To:** Jasper, Shawn  
**Cc:** Culberson, Kay; Hoelzel, Kathleen  
**Subject:** Re: Document1

Rep Jasper-

Thank you. Contrary to rumors of bygone days, I'm never unreasonable.

Rep. David E. Cote  
Hills 31 (Nashua Ward 4)

On Feb 19, 2013, at 7:08 PM, "Jasper, Shawn" <[Shawn.Jasper@leg.state.nh.us](mailto:Shawn.Jasper@leg.state.nh.us)> wrote:

Mr. Chairman, feel free to make any (reasonable) changes you feel appropriate.

Shawn

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**From:** Shawn Jasper [[jasper827@myfairpoint.net](mailto:jasper827@myfairpoint.net)]  
**Sent:** Tuesday, February 19, 2013 7:02 PM  
**To:** Jasper, Shawn  
**Subject:** Document1

<Document1.docx>