

# Committee Report

**REGULAR CALENDAR**

**February 12, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Election Law to which was referred  
HB 391,**

**AN ACT increasing the threshold for reporting by  
political committees. Having considered the same,  
report the same with the recommendation that the bill  
OUGHT TO PASS.**

**Rep. Fenton Groen**

**FOR THE COMMITTEE**

## **COMMITTEE REPORT**

Committee:	<b>Election Law</b>
Bill Number:	<b>HB 391</b>
Title:	<b>increasing the threshold for reporting by political committees.</b>
Date:	<b>February 12, 2021</b>
Consent Calendar:	<b>REGULAR</b>
Recommendation:	<b>OUGHT TO PASS</b>

### **STATEMENT OF INTENT**

This bill proposes that the threshold for the itemized reporting requirement for political campaign contributions be increased from \$25 to \$100. The \$25 amount has been in place since 1984 and has been outdated by time and the cost of money. The purpose of reporting contributions is to disclose potential financial influence on elections. In light of current funding levels of elections the majority of the committee thinks that single or aggregate donations of \$100 or less do not represent undue influence by a donor. The change will encourage small donations awhile maintaining disclosure of amounts that may have an influence on candidates and /or their campaigns.

Vote 11-9.

Rep. Fenton Groen  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

Election Law

**HB 391**, increasing the threshold for reporting by political committees. **OUGHT TO PASS.**

Rep. Fenton Groen for Election Law. This bill proposes that the threshold for the itemized reporting requirement for political campaign contributions be increased from \$25 to \$100. The \$25 amount has been in place since 1984 and has been outdated by time and the cost of money. The purpose of reporting contributions is to disclose potential financial influence on elections. In light of current funding levels of elections the majority of the committee thinks that single or aggregate donations of \$100 or less do not represent undue influence by a donor. The change will encourage small donations awhile maintaining disclosure of amounts that may have an influence on candidates and /or their campaigns. **Vote 11-9.**

Original: House Clerk

Cc: Committee Bill File

## Committee reports

Rep Groen

HB391

This bill proposes that the reporting requirement for political campaign contributions be increased from \$25 to \$100. The \$25 amount has been in place since 1984 and has been outdated by time and the cost of money. The purpose of reporting contributions is to disclose potential financial influence on elections. In light of current funding levels of elections the majority of the committee thinks that single or aggregate donations of \$100 or less do not represent undue influence by a donor. The change will encourage small donations while maintaining disclosure of amounts that may have an influence on candidates and /or their campaigns.

..submitted for the committee, by Rep Groen

# Voting Sheets

**HOUSE COMMITTEE ON ELECTION LAW**

**EXECUTIVE SESSION on HB 391**

**BILL TITLE:** (New Title) establishing a commission to review and make recommendations on campaign finance laws.

**DATE:** February 12, 2021

**LOB ROOM:** Remote / Hybrid

**MOTIONS:** **OUGHT TO PASS**

Moved by Rep. Groen

Seconded by Rep. Berry

Vote: 11-9

**CONSENT CALENDAR: NO**

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

Respectfully submitted,

Rep Natalie Wells, Clerk







2021 SESSION

Education Law

Bill #: HA 391 Motion: OTP AM #: \_\_\_\_\_ Exec Session Date: 2-12-2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Griffin, Barbara J. Chairman	✓		
MacDonald, Wayne D. Vice Chairman	✓		
Prudhomme-O'Brien, Katherine J.	✓		
Sweeney, Joe	✓		
Wayward, Peter T.	✓		
Mooney, Maureen C.	✓		
Grosian, Peter E.	✓		
Berry, Ross	✓		
Groen, Fenton	✓		
Qualey, James R.	✓		
Wells, Natalie J. Clerk	✓		
Cote, David E.		✓	
Ward, Gerald W.R.		✓	
Bergeron, Paul R.		✓	
Sandler, Catt		✓	
Hamer, Heidi M.		✓	
Lane, Connie B.		✓	
Freitas, Mary C.		✓	
Hamblet, Joan L.		✓	
Muirhead, Russell		✓	
<b>TOTAL VOTE:</b>	<b>11</b>	<b>9</b>	

# Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 391

**BILL TITLE:** increasing the threshold for reporting by political committees.

**DATE:** February 5, 2021

**LOB ROOM:** LOB Hybrid      **Time Public Hearing Called to Order:** 1:00 p.m.

**Time Adjourned:** 1:03 p.m.

(please circle if present)

**Committee Members:** Reps. B. Griffin, W. MacDonald, Wells, Prudhomme-O'Brien, Sweeney, Hayward, Mooney, Torosian, Berry, Groen, Qualey, Cote, Ward, Bergeron, ~~Sandler~~, Hamer, Lane, Freitas, Hamblet and Muirhead

**Bill Sponsors:**

Rep. Edwards

TESTIMONY

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

Time opened: 1:00pm

Closed: 1:03pm

RE:Increasing the threshold for reporting by political committees

**Rep Joe Sweeney introduced bill. Rep Jesse Edward Sponsor, not present.**

Presently at \$25 or more, candidates must give name and address of donors. This bill wants to increase the threshold to \$100, to keep up with inflation from 1992 which equals \$100 today.

**No other speakers or testimony.**

Adjourned at 1:03pm.

Respectfully submitted,  
Representative Natalie Wells  
Committee Clerk

TESTIMONY

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

Rep Joe Sweeney - introducing not sponsor.



ELECTION LAW  
PUBLIC HEARING ON HB 391

DATE; 2/5/21

TESTIMONY

Time opened: 1:00pm

Closed: 1:03pm

RE:Increasing the threshold for reporting by political committees

**Rep Joe Sweeney introduced bill. Rep Jesse Edward Sponsor, not present.**

Presently at \$25 or more, candidates must give name and address of donors. This bill wants to increase the threshold to \$100, to keep up with inflation from 1992 which equals \$100 today.

**No other speakers or testimony.**

Adjourned at 1:03pm.

Respectfully submitted,  
Representative Natalie Wells  
Committee Clerk

# House Remote Testify

## Election Law Committee Testify List for Bill HB391 on 2021-02-05

Support: 3    Oppose: 48    Neutral: 0    Total to Testify: 1

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>1</u>
Sweeney, Joe	Joe.Sweeney@leg.state.nh.us	603.327.7184	An Elected Official	Myself	Support	Yes (2m)	2
Potucek, John	potucek1@comcast.net	603.432.9049	An Elected Official	Myself	Support	No	1
Fordey, Nicole	nikkif610@gmail.com	516.318.2296	A Member of the Public	Myself	Oppose	No	1
Garland, Ann	annhgarland@gmail.com	603.678.8143	A Member of the Public	Myself	Oppose	No	1
Verschueren, Jim	jd.verschueren@gmail.com	603.978.0398	A Member of the Public	Myself	Oppose	No	2
Dodge, Corinne	corinnedodge@hotmail.com	603.432.5759	A Member of the Public	Myself	Oppose	No	2
Campbell, Karen	klynncampbell50@gmail.com	310.707.8572	A Member of the Public	Myself	Oppose	No	2
Kelley, Mary	midgekelly1@gmail.com	603.320.7237	A Member of the Public	Myself	Oppose	No	2
Whitney, Patricia	pjwhitney8@gmail.com	603.953.3416	A Member of the Public	Myself	Oppose	No	2
Raley, Pamela	psralay@gmail.com	603.742.0669	A Member of the Public	Myself	Oppose	No	2
Leavitt, Deborah	daleavitt77@comcast.net	603.343.4493	A Member of the Public	Myself	Oppose	No	2
Reed, Barbara	moragmcp83@outlook.com	603.352.5015	A Member of the Public	Myself	Oppose	No	2
Martin, Jill	jillwmar@gmail.com	240.481.5116	A Member of the Public	Myself	Oppose	No	2
Hatcher, Phil	phil.hatcher@gmail.com	603.988.8034	A Member of the Public	Myself	Oppose	No	2
Farnum, Ellen	Ellenlynnfarnum@gmail.com	603.986.6620	A Member of the Public	Myself	Oppose	No	2
Farnum, William	williamwfarnum@gmail.com	603.986.0994	A Member of the Public	Myself	Oppose	No	2
Ackerson, Judith	ackerjack45@gmail.com	603.369.0574	A Member of the Public	Myself	Oppose	No	2
Ackerson, Kenneth	ken.ackerson14@gmail.com	603.273.1593	A Member of the Public	Myself	Oppose	No	2
Yacopucci, William	wdycpp@gmail.com	603.707.2211	A Member of the Public	Myself	Oppose	No	2
Podlipny, Ann	apodlipny57@comcast.net	603.370.1914	A Member of the Public	Myself	Oppose	No	2
Lawrence, Carol	Carollawrence46@yahoo.com	603.934.6368	A Member of the Public	Myself	Oppose	No	2
Coon, Kate	kate2coon@gmail.com	339.793.0686	A Member of the Public	Myself	Oppose	No	2
Aube, Maureen	mdaube@metrocast.net	603.934.2206	A Member of the Public	Myself	Oppose	No	2
Lobdell, Sara	slobdell@antioch.edu	973.464.0703	A Member of the Public	Myself	Oppose	No	2
Cotton, Bev	bevcott@gmail.com	603.529.3456	A Member of the Public	Myself	Oppose	No	2
Emus, Joanne	jremus0322@aol.com	603.465.9722	A Member of the Public	Myself	Oppose	No	2
Beihl, Deputy Director, Brian	brian@opendemocracy.me	603.620.8300	A Lobbyist	Open Democracy Action	Oppose	No	2
Bagshaw, Joseph	bagshaw.joseph@gmail.com	603.447.2697	A Member of the Public	Myself	Oppose	No	2
Lightfoot, Jean	JnLightfoot@comcast.net	702.596.9317	A Member of the Public	Myself	Oppose	No	2
Bundy, Linda	n_bundy@mcttelecom.com	603.588.2254	A Member of the Public	Myself	Oppose	No	2
Jones, Jennifer	jennjones123@hotmail.com	603.734.4123	A Member of the Public	Myself	Oppose	No	2
King, Marcia	mchking@gmail.com	603.924.3109	A Member of the Public	Myself	Oppose	No	2
King, Charles	mchking@gmail.com	603.924.3109	A Member of the Public	Myself	Oppose	No	2
Perry, Bob	perry4nh@gmail.com	603.269.4651	A Member of the Public	Myself	Oppose	No	2
Moore, Susan	susan.moore.franconia@gmail.com	603.823.8050	A Member of the Public	Myself	Oppose	No	2
Diamond, Jim	jiminoregon@gmail.com	503.984.2775	A Member of the Public	Myself	Oppose	No	2
McLeod, Martha	MMcLeod823@gmail.com	603.491.0542	A Member of the Public	Myself	Oppose	No	2
Monsein, Marilyn	msquared3@gmail.com	603.823.5325	A Member of the Public	Myself	Oppose	No	2
Huberman, Anne	Anne.Huberman@gmail.com	603.924.0842	A Member of the Public	Myself	Oppose	No	2
Sayess, Polina	psayess@gmail.com	603.988.8796	A Member of the Public	Myself	Oppose	No	2
Nastasi, Sue	ctcoastmetro@gmail.com	603.842.4523	A Member of the Public	Myself	Oppose	No	2
DiCicco, Harriet	Hfckd1@gmail.com	603.525.3594	A Member of the Public	Myself	Oppose	No	2
Rathbun, Eric	ericrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Oppose	No	2
French, Elaine	frenche961@gmail.com	603.616.6630	A Member of the Public	Myself	Oppose	No	2
French, Robert	ref.design@outlook.com	603.444.0268	A Member of the Public	Myself	Oppose	No	2
Phillips, Betsey	bphill36@gmail.com	603.869.0127	A Member of the Public	Myself	Oppose	No	2

2/8/2021

House Remote Testify

Lord, Kit	kitlord@yahoo.com	603.942.5374	A Member of the Public	Myself	Oppose	No	↕
Von Karls, Claire	cvonkarls1@gmail.com	603.823.5948	A Member of the Public	Myself	Oppose	No	↕
ploszaj, tom	tom.ploszaj@leg.state.nh.us	603.279.9965	An Elected Official	Myself	Support	No	↕
Hackmann, Kent	hackmann@uidaho.edu	603.934.3225	A Member of the Public	Myself	Oppose	No	↕
Waterman, Raymond	prwaterman@aol.com	603.424.3692	A Member of the Public	Myself	Oppose	No	↕

# Testimony





**HOUSE COMMITTEE RESEARCH OFFICE**  
New Hampshire House of Representatives  
4<sup>th</sup> Floor, Legislative Office Building  
Concord, NH 03301  
(603) 271-3600

*Pam Smarling, Senior Committee Researcher*  
(603) 271-3387; [Pam.Smarling@leg.state.nh.us](mailto:Pam.Smarling@leg.state.nh.us)

To: Rep. Barbara J. Griffin, Chairman, House Election Law Committee

From: Pam Smarling, Senior Committee Researcher  
House Committee Research

Date: February 3, 2021

RE: HB 391, increasing the threshold for reporting by political committees.

---

You asked:

When were political committees first required to provide the name and address of a contributors of more than \$25 contribution?

What was the disposition of 2019 legislation that increased this threshold to \$100?

**SUMMARY**

From at least the recodification of the NH election laws in 1979 until 1982, political committees with *expenditures* equal or exceeding \$500 were required to submit an itemized statement of *all receipts*. The statement was required to include the full name and post office address of each contributor and the amount and date of the contribution. For receipts over \$100, the statement was required to include the occupation and principal place of business of the contributor.

In 1982, RSA 664:6, I was amended to apply to political committees with either *receipts or expenditures* over \$500 and to permit receipts of \$25 or less to be unitemized. The itemized reporting requirements have applied to receipts over \$25 since that time. Numerous additional changes have been made to the language of this section, but the dollar amounts have not changed since 1982 (Ch. 27, Laws of 1982).

HB 391 (2021) would increase the threshold for providing detailed information about each contributor from \$25 to \$100. HB 152 (2019) proposed the identical revision to the campaign finance law. The 2019 bill was killed in the House.

## ***2019 Legislative Session***

*HB 152, increasing the threshold for reporting by political committees.*

Sponsors: Rep. Edwards, Rep. Torosian, Rep. Lang, Rep. Testerman, Rep. Morrison,  
Rep. Abramson

### **House Action**

Referred to: House Election Law Committee

House Hearing: January 10, 2019

### ***Support***

- This is a straightforward bill to increase the threshold for itemizing contributions.
- People want to support candidates financially but contribute less than \$25 to avoid being identified; some business are targeted negatively because of their contributions.

### ***Opposition***

- Greater transparency in campaign finance laws is needed, not less transparency.
- This change would dramatically influence the amount of dark money flowing into political campaigns; changing the threshold from \$25 to \$100 for identifying a contributor would magnify the problem of multiple LLCs being registered at one address contributing to candidates without identification.

Committee Report: Majority: Inexpedient to Legislate, vote 12-7, Regular Calendar  
Minority:

*Rep. Paul Bergeron for the Majority of Election Law.* This bill would increase the threshold requirement for reporting itemized receipts on political contribution statements from \$25 to \$100. Currently, RSA 664:6 requires that political committee and candidate campaign contribution reports include the full name, postal address, amount of contribution, and date of contribution for donors of more than \$25. Contributions of \$25 or less are aggregated as “unitemized receipts.” This bill would permit political committees and candidates to aggregate contributions of \$100 or less as “unitemized receipts.” The majority of the committee believes that NH citizens have the right to know who is funding their elections. Full disclosure allows voters to make better informed choices and strengthen the public’s trust in the integrity of our elections. Increasing the

amount of contributions that could be “unitemized” would diminish the level of campaign financing transparency that currently exists in state law.

*Rep. Timothy Lang for the Minority of Election Law.* This bill is a modernization bill that would update the required reporting of information about campaign contributors from those who give \$25 to those who give \$100. The last time this portion of the statute was addressed was 35 years ago in 1984, when the \$25 amount was set. The committee agreed that at \$99 no one was buying influence but just participating in the pre-election campaign process. The reason for this bill is the divisive nature of politics at this point in time. Citizens want to participate in our elections, however some fear that being listed on a campaign finance report will create animosity between friends or neighbors, and they are just not willing to be listed, thus silencing those NH citizens’ voices. These citizens are not buying influence, but merely trying to support candidates of the same political leanings or a friend or neighbor running for office. The goal of election campaign finance laws is to shine a spotlight on who is paying for a given election race, so the public knows who a candidate may be beholden to based on those donations. This legislation supports the recently passed NH Constitutional amendment where a strong majority of NH citizens voted to formalize the right from undue intrusion into the privacy of our citizens. No one is beholden to anyone for \$99. This is common sense modernization legislation.

Floor Action: Found Inexpedient to Legislate, Division vote 197-124

**Final Action Killed in the House**

If I can provide further information on this, please let me know.

Bill as  
Introduced

HB 391 - AS INTRODUCED

2021 SESSION

21-0475

10/06

HOUSE BILL            **391**

AN ACT                increasing the threshold for reporting by political committees.

SPONSORS:            Rep. Edwards, Rock. 4

COMMITTEE:          Election Law

---

ANALYSIS

This bill increases the dollar threshold for reporting by political committees.

-----

Explanation:        Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struckthrough.~~]  
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 Twenty One*

AN ACT increasing the threshold for reporting by political committees.

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

1 1 Reporting by Political Committee. Amend RSA 664:6, I to read as follows:

2 I. Any political committee whose receipts or expenditures exceed \$500 shall file with the  
3 secretary of state an itemized statement in the form prescribed by the secretary of state, signed by  
4 its chairman and treasurer showing each of its receipts exceeding [~~\$25~~] **\$100** with the full name and  
5 postal address of the contributor in alphabetical order and the amount of the contribution, the date it  
6 was received, and the aggregate total for each election for each contributor of over \$100. Statements  
7 shall be filed not later than the first Wednesday in June and December after the state general  
8 election and before the filing deadline established in RSA 655:14, after which statements shall be  
9 filed no later than the Wednesday 12 weeks immediately preceding a primary election, before 5  
10 o'clock in the afternoon, and shall cover the period from the day of the committee registration up to  
11 and including the Monday before the statement is due. All receipts of [~~\$25~~] **\$100** or under shall  
12 appear on the statements as unitemized receipts. Any listing that exceeds an individual's aggregate  
13 total of \$100 for each election shall be accompanied by the contributor's occupation including official  
14 job title, the name of the contributor's employer, and the city or town of the contributor's principal  
15 place of business, if any. The statement shall also show each committee expenditure exceeding [~~\$25~~]  
16 **\$100** with the full name and postal address of the payee or promise of payment, the date paid or  
17 obligated, and the election for which the expenditure was made, with the specific nature and amount  
18 of each expenditure since the date of the registration.

19 2 Effective Date. This act shall take effect 60 days after its passage.