

REGULAR CALENDAR

February 3, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on Election Law to
which was referred HB 1423-FN-A,**

**AN ACT relative to campaign contributions and
expenditures, and making an appropriation therefor.**

**Having considered the same, report the same with the
following resolution: RESOLVED, that it is
INEXPEDIENT TO LEGISLATE.**

Rep. Fenton Groen

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee:	Election Law
Bill Number:	HB 1423-FN-A
Title:	relative to campaign contributions and expenditures, and making an appropriation therefor.
Date:	February 3, 2022
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill establishes a mechanism for government funding of political campaigns. Participation would be voluntary. It proposes to provide up to one million dollars to candidates for governor and up to sixty thousand dollars for candidates for executive councilor if the candidate meets the requisite threshold of smaller private contributions and agrees to voluntary limits in private funding. The majority of the Election Law Committee believes that candidates who wish to represent the citizens of New Hampshire in their government should not have their campaign funded by the government they wish to serve in. Campaign financing has long been a controversial issue at both the state and federal levels. Legislatures and the courts have spoken on this issue and, over time, have produced requirements for transparency as to funding sources and limits to political contributions. Transparency is provided by the detailed reporting that is required of all political candidates and Political Action Committees (PAC). Our laws also provide limits to the amount of each contribution that can be received by a candidate for office in New Hampshire. The voluntary nature could result in different funding rules for the same race. The bill does not and cannot prohibit private funding in elections so such a process would not affect what was an expressed concern – the amount of ‘dark’ money that is funding elections. The majority of the committee believes that this law is unnecessary and would not result in cleaner election funding and would inject government money into campaigns of candidates, a practice which is an inherent conflict of interest

Vote 11-9.

Rep. Fenton Groen
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Election Law

HB 1423-FN-A, relative to campaign contributions and expenditures, and making an appropriation therefor. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Fenton Groen for the **Majority** of Election Law. This bill establishes a mechanism for government funding of political campaigns. Participation would be voluntary. It proposes to provide up to one million dollars to candidates for governor and up to sixty thousand dollars for candidates for executive councilor if the candidate meets the requisite threshold of smaller private contributions and agrees to voluntary limits in private funding. The majority of the Election Law Committee believes that candidates who wish to represent the citizens of New Hampshire in their government should not have their campaign funded by the government they wish to serve in. Campaign financing has long been a controversial issue at both the state and federal levels. Legislatures and the courts have spoken on this issue and, over time, have produced requirements for transparency as to funding sources and limits to political contributions. Transparency is provided by the detailed reporting that is required of all political candidates and Political Action Committees (PAC). Our laws also provide limits to the amount of each contribution that can be received by a candidate for office in New Hampshire. The voluntary nature could result in different funding rules for the same race. The bill does not and cannot prohibit private funding in elections so such a process would not affect what was an expressed concern – the amount of ‘dark’ money that is funding elections. The majority of the committee believes that this law is unnecessary and would not result in cleaner election funding and would inject government money into campaigns of candidates, a practice which is an inherent conflict of interest **Vote 11-9.**

Original: House Clerk

Cc: Committee Bill File

REGULAR CALENDAR

February 3, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on Election Law to
which was referred HB 1423-FN-A,**

**AN ACT relative to campaign contributions and
expenditures, and making an appropriation therefor.**

**Having considered the same, and being unable to agree
with the Majority, report with the recommendation that
the bill OUGHT TO PASS.**

Rep. Russell Muirhead

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee:	Election Law
Bill Number:	HB 1423-FN-A
Title:	relative to campaign contributions and expenditures, and making an appropriation therefor.
Date:	February 3, 2022
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

Voters of all political persuasions are concerned that the undue influence of the donor class undercuts ordinary voters. This bill would empower ordinary citizens by creating a legal framework for a voter-owned election fund. The fund would provide public financing for primary and general election campaigns of participating candidates for governor and executive council. Candidates would qualify for public financing by collecting 500 contributions of at least 5 dollars and no more than 125 dollars for executive council candidates, and 2,500 contributions of at least 5 dollars and no more than 250 dollars for gubernatorial candidates. At least 90% of all contributions must come from in-state residents and organizations. Once qualified, candidates can solicit "voter dollars" – the four 25-dollar certificates that each voter in the state is allocated and can donate to candidates of their choosing. Primary election winners also receive an allotment of 60,000 dollars for executive council candidates and 1,000,000 dollars for gubernatorial candidates. The financing of this framework is sufficient to run a viable campaign and would enable candidates to be competitive. Candidates who do not participate can, of course, continue to finance their campaigns by looking to big money interests. This bill would put candidates whose support comes only from ordinary in-state voters on an equal footing.

Rep. Russell Muirhead
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Election Law

HB 1423-FN-A, relative to campaign contributions and expenditures, and making an appropriation therefor. **OUGHT TO PASS.**

Rep. Russell Muirhead for the **Minority** of Election Law. Voters of all political persuasions are concerned that the undue influence of the donor class undercuts ordinary voters. This bill would empower ordinary citizens by creating a legal framework for a voter-owned election fund. The fund would provide public financing for primary and general election campaigns of participating candidates for governor and executive council. Candidates would qualify for public financing by collecting 500 contributions of at least 5 dollars and no more than 125 dollars for executive council candidates, and 2,500 contributions of at least 5 dollars and no more than 250 dollars for gubernatorial candidates. At least 90% of all contributions must come from in-state residents and organizations. Once qualified, candidates can solicit “voter dollars” – the four 25-dollar certificates that each voter in the state is allocated and can donate to candidates of their choosing. Primary election winners also receive an allotment of 60,000 dollars for executive council candidates and 1,000,000 dollars for gubernatorial candidates. The financing of this framework is sufficient to run a viable campaign and would enable candidates to be competitive. Candidates who do not participate can, of course, continue to finance their campaigns by looking to big money interests. This bill would put candidates whose support comes only from ordinary in-state voters on an equal footing.

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 1423-FN-A

BILL TITLE: relative to campaign contributions and expenditures, and making an appropriation therefor.

DATE: February 3, 2022

LOB ROOM: 306-308

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Groen

Seconded by Rep. Sweeney

Vote: 11-9

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Natalie Wells, Clerk



2021 SESSION

Election Law

Bill #: HB1423- Motion: ITL AM #: _____ Exec Session Date: 2-3-22
FN-A.

<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	✓		
Hayward, Peter T.	✓		
Mooney, Maureen E. <u>Joe Alexander</u>	✓		
Torosian, Peter E.	✓		
Berry, Ross	✓		
Groen, Fenton	✓		
Qualey, James R.	✓		
Wells, Natalie J. Clerk	✓		
Cote, David E. <u>Matt Wilhelm</u>		✓	
Ward, Gerald W.R.		✓	
Bergeron, Paul R.		✓	
Sandler, Catt <u>Megan Murray</u>		✓	
Hamer, Heidi M.		✓	
Lane, Connie B.		✓	
Freitas, Mary C.		✓	
Hamblet, Joan L.		✓	
Muirhead, Russell		✓	
TOTAL VOTE:	11	9	

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 1423-FN-A

BILL TITLE: relative to campaign contributions and expenditures, and making an appropriation therefor.

DATE: January 19, 2022

LOB ROOM: 306-308 **Time Public Hearing Called to Order:** 10:54 a.m.

Time Adjourned: 11:42 a.m.

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

Bill Sponsors:

Rep. Porter

Rep. Muirhead

Rep. Sullivan

Rep. Guthrie

Rep. Vann

Rep. M. Smith

TESTIMONY

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

Rep Porter filed for a constituent. Open Dem working on this Legislation for years. Citizens polled are concerned about big money, big interest.

Participation - Qualifying candidates for Governor's Executive Council. Incentivize citizens to participate. The Candidate needs to show independent expenditures, receive small contribution. \$125 Council, \$200 Governor. No more than 10% can come from out of state donors. Urge to vote 1423 OTP.

Rep Guthrie - Rockingham 13 Co-sponsor of this bill.

- Believes dark money is in campaigns. Its a comprehensive, detailed, hope its a working document. Big problem, get big money out of our elections.

Olivia Zink - Exec Director Open Democracy

- 36,000 members and support public financing and include voter's confidence qualifying thresholds.
- Encourages competition
- Complies with Constitutional and Federal rules
- This bill was introduced before since 2000.
- It has been studied extensively twice.

Question - Rep Groen - Does this bill do anything to prevent candidates doing traditional funds as we currently do.

Answer - No

Question - How does this reduce impact of dark money?

Answer - These system are volunteer. Can raise traditional or opt into this system. Maine has 65% candidate, Ct 74%. Opt in for this system, both parties but can use tradition.

Question - Race, such as governor - obviously to do door knocking. It becomes candidate organization and media takes a lot of money. Any example of candidate use it won the election? How effective?

Answer - Refer to Anna's written package we received - Maine's elections and success. Raised 1.4 , Sununu 1.4 million. Competitive.

Question - Rep Alexander - 60,000 contested general race. Exec council seems low, do you feel an incumbant advantage vs challengers?

Answer - I think it empowers more candidates to run.

Question - Rep Tirobian - Reference Governor's race. If became law, would create spiraling amount campaigns potential go even higher race?

Answer - This only deals with state, not Federal. Costs more. Maine only voted once to increase state Rep races - \$5000, stayed the same since 1996.

Question - Rep Lane - What about in kind contributions?

Answer - Yes, included 250 governor, 125 exec council, same cap as finance

Question - What about organizations, separate ads, flyers?

Answer - Independent expenses outside scope of this bill. Doesn't independent expense most pacs respect, don't have individual.

Question - Rep Alexander - in Primary, independents don't want to spend. How does really stop?

Answer - This system holds up look at case in other states against expenditures. In Maine, called "clean elections", accountable, not funded by out of state donations.

Linda Olson Bundy - From Antrim

- Hospitals, Energy, Corporations, Insurance who don't have to disclose.
- Moderate people can't compete with corporations.
- If HB1423 is voted, would have to be accountable. Candidates would grow and be accountable.
- Maine and Connecticut have established this for years.
- I ask you to support the bill.

Mark McLaughlin - N. Hampton - Supports HB1423

- I am not for beurocratic solutions
- Citizen's United was iport ruling..
- Engagement of citizens is important.
- Thik this bill would create participate in public-funded ampaigh.
- Askt money to get progras goihng. I think this bill is a start.

Rep Muirhead - 3 steps

- Candidates work hard qualifying a lot of small donations, small as \$5.00.
- Once qualify ask citizens for \$25 certificate up to certain _____
- Winner of primary money from public financing fund for viable campaign.
- Worked with Olivia Zink about finances of this bill.

Question - Rep Groen - You went through 3 steps, gave me a better understanding of the process but after winning primary, where does these funds?

Answer - Elec page 8 - General appropriation

Question - Funding not for \$25 certificate for election i.e.state?

Question - Rep Alexander - Any thought making this a constitution amendment instead?

Answer - My opinion - needs bi-partisan. First trying this bill, reluctant to go down this road.

Question - Rep Hayward- How would this improve transparency? I've worked i Maine, I'd look at various out of state money.

Answer - Idea, bill can't give money. If can show real support of NH citizens just enough for viable.

Chow Kelley - Oppose the bill. From summary

- Level playing field sounds wonderful.
- Reminded me everyone be the same, equal level, all about money.
- Talking about fund, if mismanaged
- Don't need citizen's legal problems

House Remote Testify

Election Law Committee Testify List for Bill HB1423 on 2022-01-19

Support: 63 Oppose: 2 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Anastasia, Patricia	Londonderry, NH patti.anastasia@gmail.com	A Member of the Public	Myself	Support	No	No	1/13/2022 12:20 PM
Huberman, Anne	Peterborough, NH Anne.Huberman@gmail.com	A Member of the Public	Myself	Support	No	No	1/13/2022 4:41 PM
Lightfoot, Jean	Hopkinton, NH JnLightfoot@comcast.net	A Member of the Public	Myself	Support	No	No	1/14/2022 7:41 AM
Cotton, Bev	Weare, NH bevcott@gmail.com	A Member of the Public	Myself	Support	No	No	1/14/2022 11:56 AM
Sullivan, Brian	Grantham, NH briansullivannh@gmail.com	An Elected Official	Myself	Support	No	No	1/14/2022 12:57 PM
Hodgkins, Russell	Amherst, NH hodgkins_russ@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/14/2022 3:07 PM
Serrell, James	Kingston, NH imjjserrell@yahoo.com	A Member of the Public	Myself	Support	No	No	1/14/2022 3:34 PM
kirsch, walter	warner, NH kirschwalterf@yahoo.com	A Member of the Public	Myself	Support	No	No	1/15/2022 10:16 AM
Hamer, Gary	Manchester, NH ghamer@mansd.org	An Elected Official	Myself	Support	No	No	1/16/2022 8:30 AM
GLass, Jonathan	Cornish, NH jglass1063@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2022 9:26 AM
Cody, Robert	Portsmouth, NH Cody@jeol.com	A Member of the Public	Myself	Support	No	No	1/16/2022 2:56 PM
Toms,MD, Bill	Keene, NH william.b.toms@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2022 3:04 PM
Torpey, Jeanne	Concord, NH jtorp51@comcast.net	A Member of the Public	Myself	Support	No	No	1/16/2022 3:13 PM

sauve, michael	LOUDON, NH michael.s.sauve@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2022 3:13 PM
Coughlin, Cynthia	Merrimack, NH coughlin29@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2022 3:39 PM
Andrews, David	Chichester, NH davidandrewsnh@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2022 4:28 PM
Rand, Steven	Plymouth, NH rstevenrand@yahoo.com	A Member of the Public	Myself	Support	No	No	1/16/2022 4:44 PM
Tentarelli, Liz	Newbury, NH liz6@kenliz.net	A Member of the Public	Myself	Support	No	No	1/16/2022 4:46 PM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Oppose	No	No	1/16/2022 5:28 PM
Mulligan, Thomas	Strafford, NH nute_shop@hotmail.com	A Member of the Public	Myself	Support	No	No	1/16/2022 5:47 PM
bory, lee	nashua, NH leebory@juno.com	A Member of the Public	Myself	Support	No	No	1/16/2022 5:53 PM
McCormick, Kristen	Stoddard, NH kristenk2911@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2022 6:34 PM
Mulligan, Virginia	Strafford, NH ginibelize@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2022 6:52 PM
thompson, julia	durham, NH maple371@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2022 7:14 PM
Burdett, Mary	Milford, NH maryburdett@comcast.net	A Member of the Public	Myself	Support	No	No	1/17/2022 7:17 AM
Wazir, Safiya	Concord, NH S.wazir@leg.state.nh.us	An Elected Official	Myself and my constituents	Support	No	No	1/17/2022 7:19 AM
Fenner-Lukaitis, Elizabeth	Warner, NH glukaitis@mcttelecom.com	A Member of the Public	Myself	Support	No	No	1/17/2022 7:19 AM
Matthews, Charles	Amherst, NH cematthews@comcast.net	A Member of the Public	Myself	Support	No	No	1/17/2022 7:52 AM
Farnum, Ellen	Tamworth, NH Ellenlynnfarnum@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 8:13 AM
Wyndham, Carol	Peterborough, NH carolwyndham@yahoo.com	A Member of the Public	Myself	Support	No	No	1/17/2022 10:57 AM
stonebanks, sandra	concord, NH sandrastonebanks@yahoo.com	A Member of the Public	Myself	Support	No	No	1/17/2022 11:21 AM

Oxenham, Lee	Plainfield, NH leeoxenham@comcast.net	An Elected Official	Myself	Support	No	No	1/17/2022 1:33 PM
Burr, Emily	Canterbury, NH revemilyburr@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 2:02 PM
Dodge, corinne	Derry, NH corinnedodge@hotmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 2:50 PM
Casino, Joanne	Concord, NH joannecasino@comcast.net	A Member of the Public	Myself	Support	No	No	1/17/2022 5:01 PM
Dontonville, Roger	Enfield, NH rdontonville@gmail.com	An Elected Official	Myself	Support	No	No	1/17/2022 5:26 PM
Ballentine, John	Nashua, NH mikeb@btine.com	A Member of the Public	Myself	Support	No	No	1/17/2022 5:27 PM
O'Rorke, Terri	Keene, NH terrio21@yahoo.com	A Member of the Public	Myself	Support	No	No	1/17/2022 6:06 PM
King, Marcia	Peterborough, NH mchking@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 6:24 PM
Raven, Mary	Merrimack, NH marybeth.raven@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 6:49 PM
Faulkner, Anne	Keene, NH annefaulkner62@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 7:25 PM
Dontonville, Anne	Enfield, NH Ardontonville@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 7:44 PM
Polizos, Andrea	Harrisville, NH sundog.ap@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 7:52 PM
Farina, Susan	Nashua, NH suef60@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 8:17 PM
White, Jeanmarie	Alton Bay, NH jeanawhite1@comcast.net	A Member of the Public	Myself	Support	No	No	1/17/2022 8:24 PM
Coon, Kate	Peterborough, NH kate2coon@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 8:28 PM
House, Don	Belmont, NH donhouse@metrocast.net	A Member of the Public	Myself	Support	No	No	1/17/2022 9:24 PM
Oxenham, Evan	Plainfield, NH evan.oxenham@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2022 9:36 PM
Gilman, Julie	Exeter, NH Julie.gilman@leg.state.nh.us	An Elected Official	Town of Exeter	Support	No	No	1/17/2022 11:46 PM

Davidson, Geri	Nashua, NH geridavidson15@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 1:09 AM
Saum, Judith	Rumney, NH judithsaum@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 5:47 AM
Desmarais, Doreen	Northwood, NH doreend@netzero.net	A Member of the Public	Myself	Support	No	No	1/18/2022 6:53 AM
Lewis, Elizabeth	Nashua, NH ecop.lewis@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 7:43 AM
Storrs, Caroline	Cornish, NH pcstorrs@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 8:33 AM
Reed, Barbara	North Swanzey, NH BDRreed74@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 9:02 AM
Findley, Sally	Grantham, NH findley.se@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 9:28 AM
Bowles, Margaret	Lyme, NH mcb2885@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 10:20 AM
Tucker, Katherine	Wilmot, NH katherine.s.tucker@valley.net	A Member of the Public	Myself	Support	No	No	1/18/2022 10:25 AM
Cuff, JoEllen	Stratham, NH applebug2@msn.com	A Member of the Public	Myself	Support	No	No	1/18/2022 10:35 AM
Doherty, David	Pembroke, NH ddoherty0845@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 11:34 AM
Drake, Lorraine	NEW DURHAM, NH heldrake@metrocast.net	A Member of the Public	Myself	Support	No	No	1/18/2022 12:13 PM
Sumner, Deborah	Jaffrey, NH dsumner@myfairpoint.net	A Member of the Public	Myself	Support	No	No	1/18/2022 12:21 PM
Cahill-Yeaton, Miriam	Epsom, NH nmyeaton.mims@yahoo.com	A Member of the Public	Myself	Support	No	No	1/18/2022 12:22 PM
chase, Wendy	Rollinsford, NH wendy.chase@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/18/2022 12:41 PM
Bundy, Linda Olson	Antrim, NH n_bundy@mcttelecom.com	A Member of the Public	Myself	Support	No	No	1/18/2022 1:13 PM
Robertshaw, Kristan	Derry, NH krobertshaw@comcast.net	A Member of the Public	Myself	Support	No	No	1/18/2022 1:43 PM
Peterson, Susan	Newton, NH Susanrp@aol.com	A Member of the Public	Myself	Support	No	No	1/18/2022 4:12 PM

Robinson, Ellis	Grantham, NH EllisMMRobinson@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 4:58 PM
Rhodes, Linda	Durham, NH ladycowvet@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 5:22 PM
Brown, Jean	Hanover, NH jean.e.brown1@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 6:15 PM
Sweeney-Blaise, Robyn	Epsom, NH robynblaise@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 6:25 PM
Beihl, Brian	Alton Bay, NH brian@opendemocracy.me	A Lobbyist	Open Democracy Action	Support	No	No	1/18/2022 8:12 PM
Kaplan, Susan	Lebanon, NH sskaplan01@aol.com	A Member of the Public	Myself	Support	No	No	1/18/2022 8:20 PM
THOMPSON, LAURA	CHESTER, NH nicnmom@hotmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 8:34 PM
Perry, Bob	Strafford, NH perry4nh@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 8:36 PM
Chadwick, Ray	Bedford, NH rfchadwick@juno.com	A Member of the Public	Myself	Oppose	No	No	1/18/2022 9:12 PM
Campbell, Karen	Epsom, NH klynncampbell50@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 9:21 PM
Hirai, Barbara	Lebanon, NH BPHirai@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 9:49 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2022 10:05 PM
Dickler, Jeffrey	Rindge, NH gsgstriker@aol.com	A Member of the Public	Myself	Support	No	No	1/18/2022 11:04 PM
Billingham, Carla	Salem, NH billingham2@comcast.net	A Member of the Public	Myself	Support	No	No	1/19/2022 12:09 AM
Willoughby, Susan	Kensington, NH bockeriny@gmail.com	A Member of the Public	Myself	Support	No	No	1/19/2022 6:22 AM
Bushueff, Catherine	Sunapee, NH agawamdesigns@gmail.com	A Member of the Public	Myself	Support	No	No	1/19/2022 6:25 AM
Meuse, David	Portsmouth, NH David.Meuse@leg.state.nh.us	An Elected Official	ROCKINGHAM 29	Support	No	No	1/19/2022 7:25 AM
Chester, Russan	Bedford, NH russan.chester@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/19/2022 7:32 AM

Osborne, Jason	Auburn, NH houstorepoffice@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	1/19/2022 8:03 AM
Vallone, Mark	Epping, NH nhatlasman@comcast.net	An Elected Official	Myself	Support	No	No	1/19/2022 8:32 AM
Rich, Martha	Enfield, NH martha.rich@thet.net	A Member of the Public	Myself	Support	No	No	1/19/2022 8:34 AM
Fraysse, Michael	Epsom, NH mikefraysse@gmail.com	A Member of the Public	Myself	Support	No	No	1/19/2022 9:13 AM
Thomas, Elaine	Nashua, NH thomas.marshall@comcast.net	A Member of the Public	Myself	Support	No	No	1/19/2022 9:22 AM
Altschiller, Debra	Stratham, NH debra.altschiller@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/19/2022 10:02 AM
Jonas, Susannah	Francestown, NH suejonas@hotmail.com	A Member of the Public	Myself	Support	No	No	1/19/2022 10:23 AM
Snow, Danielle	Hillsborough, NH dnllsnw@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/19/2022 10:56 AM
Phillips, Ellen	New Durham, NH ezphillips@yahoo.com	A Member of the Public	Myself	Support	No	No	1/19/2022 11:08 AM
Perry, Carol	Strafford, NH cperrynh1@gmail.com	A Member of the Public	Myself	Support	No	No	1/19/2022 11:17 AM
Perry, Darryl	Manchester, NH darryl@nhlibertas.com	A Lobbyist	New Hampshire Libertas	Oppose	No	No	1/19/2022 11:26 AM
Verschueren, James	Dover, NH jd.verschueren@gmail.com	A Member of the Public	Myself	Support	No	No	1/19/2022 1:41 PM
Larkin, Maria	Durham, NH bettergutbetterhealth@gmail.com	A Member of the Public	Myself	Support	No	No	1/19/2022 2:57 PM
Petrusewicz, Carol	Rochester, NH clmcc2befree@yahoo.com	A Member of the Public	Myself	Oppose	No	No	1/19/2022 3:40 PM
Nelson, Deborah	Hanover, NH dbaconnelson@gmail.com	A Member of the Public	Myself	Support	No	No	1/19/2022 3:50 PM
Holtz, Andy	Dover, NH awave28@live.com	A Member of the Public	Myself	Support	No	No	1/19/2022 7:45 PM
Grand, Irene	Strafford, NH igrand@metrocast.net	A Member of the Public	Myself	Support	No	No	1/19/2022 8:06 PM
Emus, joanne	Hollis, NH jremus0322@aol.com	A Member of the Public	Myself	Support	No	No	1/19/2022 8:22 PM

February 1, 2022

Madam Chair, Members of the NH Election Law Committee, and prime and co-sponsors of HB 1423:

It is said there is a time and place for everything. With respect to how we finance our elections, I urge the time is now, and the place is the House Election Law Committee.

To a significant degree, money determines political outcomes, not the voice of everyday Americans. The current system of campaign finance requires large sums of money be amassed before a candidate can be considered viable. The press gauges viability almost exclusively by reporting known contributions, and focuses little attention on the character of the candidate. There is so much wrong with the present system, a system which allows a political advocacy organization, candidates and non-candidate political committees to make UNLIMITED contributions, as interpreted by the AG's office (Memo, 12.17.21), turbocharges the money chase, and incentivizes turning one's back on receipt of foreign money, if that person is even aware that such is happening. It is a system that is vulnerable to loopholes in existing law, including in the reporting of contributions, a recognized, critical need outlined in the Citizens United ruling.

HB 1423 is a mechanism for fixing what is badly broken. Over time, it will tame the need for the relentless pursuit of money, principled candidates losing sleep over whose money to accept, and the conflicts presented incumbents in deciding how to vote without offending a sizable donor. U.S. Senate leader McConnell, once a champion of campaign finance reform, now believes that money does not corrupt, and one can only be corrupted by money if one admits to it. Our common sense dictates otherwise. Our current system invokes the difficult task in one's mind of deciding how to vote - a corruption of one's ability to keep money and policy separate.

HB 1423 has an appropriation of \$1, with a sunset, to hold the concept of public funding of elections in place until fully implemented. No doubt, implementation is a gamble. However, for the Republic to thrive, and for the advancement of policies that represent the wishes of the majority of Americans, a vote out of committee of OTP/OTPA advances the cause of representative Democracy, and minimizes the public's negative perceptions.

Bob Perry
Strafford

THE NEW HAMPSHIRE VOTER-OWNED ELECTIONS ACT

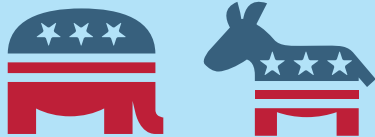


Voters agree:
The system is
broken

Voters overwhelmingly agree that our current campaign finance system is broken. The root problem is that the system is based entirely on *private* contributions, often large donations from a small, unrepresentative slice of the electorate. We need a competing system that allows candidates to run viable campaigns with small contributions from ordinary citizens—*Voter-Owned Elections*.

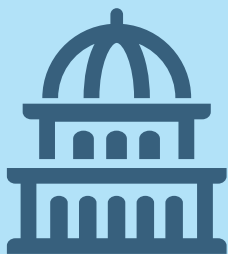
The system envisioned in this bill reflects the common values and collaborative effort of 6 New Hampshire legislators, 3 Republicans and 3 Democrats. In this very purple state, bipartisanship is key.

The basic model. The proposed system is entirely voluntary. Qualifying candidates for governor and executive council are eligible to receive “Voter Dollars” and, if they win their primary contests, additional grants. In election years, registered voters receive four certificates, worth 25 Voter Dollars each, that they may contribute to participating candidates of their choice. The Voter Dollar approach is truly transformational, incentivizing candidates to seek contributions from a broad swath of the electorate, and incentivizing everyday citizens to identify candidates who deserve their support. New Hampshire's very late primary makes it difficult for candidates to raise enough money for the general election from small donations alone. Grants for primary winners solve that problem.



In this very
purple state
bipartisanship
is key

Qualification. To become eligible for Voter Dollars, candidates need to first show that they can generate enough public support to mount a viable campaign. An executive council candidate must collect at least 500 private contributions of \$5 to \$125 each, a gubernatorial candidate 2,500 contributions of \$5 to \$250 each. Qualifying contributions must come from registered voters residing within the candidate's district. In addition, the candidate must publicly disavow “independent expenditures,” funds spent by outside groups or individuals on the candidate's behalf.



**Voter
Dollars:** Truly
transformational

Requirements of candidates. Participating candidates must agree not to accept aggregate private contributions from any one donor greater than \$125 (for council) and \$250 (for governor) for the primary, similar amounts for the general election. No more than 10% of private contribution totals may come from out-of-state sources, and candidates may not accept contributions from businesses and lobbyists. There are also strict limits on the use of personal funds and funds carried over from previous campaigns, plus caps on the amount any one candidate can receive from Voter Dollars.

Frequently Asked Questions

Is participation mandatory?

No. The program is entirely voluntary.

Why is this system limited to campaigns for governor and executive council?

The governor and executive council are responsible for far reaching decisions affecting how New Hampshire tax dollars are spent. Accordingly, they are targets of intense lobbying and the recipients of considerable campaign support from organizations and individuals with a stake in those decisions. And from a practical standpoint, starting with just six races is a manageable way to determine the system's strengths and weaknesses. Adding legislative races to the Voter-Owned Elections system is a logical next step, and the bill contains provisions for that.

Is this a good use of taxpayer money?

Yes. The Voter-Owned Elections system is a long-term investment. It will save taxpayer dollars by reducing the pressure on officeholders to grant favors to special interests. We pay through the nose for the system we have now.

Has this approach been successful in other states?

Yes. Besides the states of Maine, Connecticut, and Arizona, a number of cities have instituted public financing. We have the benefit of knowing which approaches have worked and which have not.

How much will it cost?

The most current estimate is \$2.7 million annually. Much depends on levels of participation. Early years of the program may cost significantly less.

Where will the money come from?

Funding sources are varied: voluntary donations, increased registration fees for lobbyists and PACs, unspent public contributions to campaigns; fines for violations of election laws; interest; general funds not otherwise appropriated.

Will the program provide enough support for participating candidates to win?

Yes. Winning candidates don't need to raise the *most* money; they just need *enough* money. All dollar figures can be adjusted for inflation, and the bill contains provisions for altering grant amounts and the various limits if necessary.

Participating candidates are required to publicly disavow independent expenditures on their behalf. How can they compete against the flood of outside money being spent in support of nonparticipating opponents?

Voters are becoming increasingly leery of the power that independent spending groups hold over the candidates they support. We are at a point where a candidate's disavowal of outside money offers a significant political advantage over a nonparticipating opponent who makes no such claim.



4 Park Street, #301, Concord, New Hampshire 03301 (603) 715-8197
info@OpenDemocracyNH.org | OpenDemocracyAction.org
This is paid for with support from the Voqal Fund

HB 1423 – relative to campaign contributions and expenditures, and making an appropriation therefor.

January 19, 2022

House Election Law Committee

Rm. 306 – 308, 10:45 A.M.

Time: 3:35

Madam Chair, and members of the committee:

I write in support of HB 1423.

We are all aware of the adage: Perception is reality. I present a simple, early American example.

In 1785, Benjamin Franklin received the gift of a decorative snuff box from King Louis XVI of France. Franklin returned the box, because even though the king had not asked for anything in return, he understood that “at the level of basic human intercourse, Franklin owed something to the king.” Franklin’s mindset was that accepting the box obligated him, or the public would perceive it as so.

Two centuries later, Senator Mitch McConnell took a very different view. In his infamous mockery of John McCain on the floor of the senate, McConnell demanded the names of senators who McCain thought were engaged in corruption. If McCain could not name names, there could be no corruption. “Someone must be corrupt for there to be corruption,” McConnell concluded. His view of corruption was narrow: Unless there was direct linkage - a corporation asking for a favor from a politician, making a contribution, and the politician delivering on that favor and admitting to delivering on it because of the contribution, there could be no corruption, merely coincidence. This logic, of course, is absurd, but in 2010, the Supreme Court of the United States adopted McConnell’s narrow view of corruption in its ruling in Citizens United v FEC.

If you or I were jurors in a civil or criminal trial, we would be instructed by the judge that we may infer the ultimate fact from another fact. We would be authorized to use our common sense in assessing the facts to reach a conclusion. But related to private campaign contributions, the supreme court’s bizarre assumption was and is that money has no influence on politicians, that proof of bias must be admitted by the politician.

HB 1423 is a common-sense approach to campaigning that will serve to elevate public confidence in the process by removing perceived or actual bias private money exerts over public money. Candidates for governor and executive council qualify for financing after securing the requisite number of qualifying contributions, and limits the size of private contributions. Compliance with this voluntary process is administered by a commission, including disbursement of funds. The big players, businesses, unions and lobbyists, are prohibited from making contributions. Registered voters will be issued 4 \$25 certificates for

their use in making campaign contributions. Candidates will also be eligible for grants. Revenue to the fund shall come from various sources, and certain monetary thresholds must be attained before disbursements are made. A \$1 appropriation is established to effectuate the program's existence pending full implementation.

The model for a public funding system exists in the State of Maine, which has functioned well and been candidate supported for more than 20 years. It exists in other states and municipal jurisdictions, as well, and has remained durable and popular.

To be sure, the current system is not sustainable in a Democracy. Among its victims are candidates and incumbents who are honest brokers.

I urge passage of this bill.

Bob Perry
Strafford

Archived: Wednesday, May 18, 2022 10:19:05 AM

From: [KL Bundy](#)

Sent: Tuesday, January 18, 2022 1:07:25 PM

To: [~House Election Law Committee](#)

Subject: HB 1423

Importance: Normal

Dear Madam Chair and Members of the House Election Law Committee,

I am submitting this testimony in favor of HB 1423-FN-A, relative to campaign contributions and expenditures, which establishes a fund for eligible candidates for governor and executive councilors.

Since the 2010 Supreme Court ruling in Citizens United v. FEC, wealthy donors and corporations have exerted undue influence in elections at all levels from the local through the national. Large amounts of money are contributed to campaigns which often rely on misleading attack ads, rather than participation in relevant political conversations about issues. Politicians in New Hampshire have received large donations from hospitals, insurance groups, pharmaceutical corporations, the energy industry, and communications companies. These corporations do not have to publicly disclose their identities, so that citizens do not know who is supporting and influencing candidates.

Such a system directly affects who runs for office and which pieces of legislation are put into law. Candidates of moderate means cannot compete against those funded by deep pockets. The opinions and issues of the wealthy drive the political agenda. Everyday voters hold less weight with candidates.

The solution for this situation is to reform the funding of campaigns so that candidates and elected officials are motivated to serve citizens of New Hampshire rather than big businesses. If enacted, HB 1423 would be a first step in such reform. Candidates have to meet certain criteria to be eligible for voter dollars, and registered voters receive four \$25 certificates that they may assign to the candidates of their choice. Participation by candidates and voters is voluntary. As a result of this reform, engagement between candidates and voters would increase. The number of financially viable candidates would grow, and they would have to work to make voters believe they are the best choice to receive voter dollars. Candidates' focus would turn toward their local constituents instead of corporate donors.

Of course, funding of this system is an important consideration. The report of the bipartisan 2008 Commission to Study the Feasibility of Public Funding of State Election Campaigns has a 2 page list of 64 ideas for sources for public funding. Our fellow New England states of Maine and Connecticut have well-established public funding systems for state elections that have been in place for years.

In the interest of decreasing the influence of big money and increasing grassroots participation by candidates and voters in our elections, I ask you to support this bill.

Respectfully,
Linda Olson Bundy
Antrim

Archived: Wednesday, May 18, 2022 10:19:09 AM

From: [Corinne Dodge](#)

Sent: Monday, January 17, 2022 3:43:38 PM

To: ~House Election Law Committee

Subject: HB 1423

Importance: Normal

Members of the NH Election Law Committee:

HB 1423 is a good, long-term investment in our NH election system for the people of NH. It will restore accountability of our public officials back to NH voters. As the systems stands now, legislators are beholden to the wealthy elite and corporate donors at great expense to our citizens

In addition, the current escalating cost of running for the office of Governor or Executive Council in NH is causing many good Republican and Democratic candidates to be unable to run for these offices. The majority of NH voters are angry and thoroughly disgusted with the current system of funding elections here in NH. We want to see our legislators become accountable to us again and we want our government to start representing us citizens again!

I ask that you join with the states of Maine, Connecticut, and Arizona which have effectively instituted public financing of elections with success. Support the voters of NH by passing HB1423.

Thank you

Corinne Dodge, Derry NH

Sent from [Mail](#) for Windows

Archived: Wednesday, May 18, 2022 10:18:59 AM

From: [Karen Campbell](#)

Sent: Wednesday, February 2, 2022 9:09:05 PM

To: [Mary Freitas](#); [Joan Hamblet](#); russmuirhead@gmail.com; [Barbara Griffin](#); [Katherine Prudhomme Obrien](#); [Joe Sweeney](#); [Peter Hayward](#); [Peter Torosian](#); [Wayne MacDonald](#); [Natalie Wells](#); [Ross Berry](#); [Fenton Groen](#); [Jim Qualey](#); [David Cote](#); [Gerry Ward](#); [Paul Bergeron](#); [Catt Sandler](#); [Heidi Hamer](#); [Connie Lane](#); [Joe Alexander](#); ~House Election Law Committee

Subject: HB 1423

Importance: Normal

Dear Madam Chair and Members of the NH Election Law Committee:

Regarding voting, redistricting has been a big topic lately. However, money is an equally important topic! Voters overwhelmingly agree that our current campaign finance system needs to be repaired. The root problem is that the system is based entirely on private contributions, often large donations from a small, unrepresentative slice of the electorate (often anonymously - known as dark money). We need a competitive system that allows candidates to run viable campaigns with small contributions from ordinary citizens. HB 1423 would be super helpful in moving us toward just such a system. Please vote Ought to Pass (OTP) on HB 1423 Voter-Owned Elections. The citizens of New Hampshire will thank you for it.

Thank you for your time.

Karen Campbell

260 New Orchard Rd. Epsom, NH 03234

Archived: Wednesday, May 18, 2022 10:18:58 AM

From: [KL Bundy](#)

Sent: Thursday, February 3, 2022 8:48:30 AM

To: [~House Election Law Committee](#)

Subject: HB 1423-FN-A

Importance: Normal

Dear Madam Chair and Members of the House Election Law Committee,

I've attached a brief statement in support of HB 1423-FN-A. Thank you for your consideration of my request.

Respectfully,

Linda Olson Bundy

Antrim

Carrie Morris

From: LAURA MAGZIS <hippiedoc2@comcast.net>
Sent: Wednesday, February 2, 2022 7:46 PM
To: ~House Election Law Committee
Subject: House Bill 1423

Dear Committee Chair and Members:

I have been concerned for several years about the effect of private campaign contributions on our democracy. As I see it, candidates who receive large donations from private citizens, once elected, inevitably feel indebted to their donors, so that, though they may think they are making decisions based on what is good for constituents, they are nevertheless biased toward a few large donors. Lately, seeing the evidence of the weakening of our democracy, I have thought that Citizens United and similar decisions have led to citizens feeling powerless, which has contributed to the development of extremism. Even if this is not the case, we are in any case dealing with a system which subverts the idea of one person, one vote. I urge you to vote in favor of HB 1423, which would go some distance to restoring the importance of "We the People."

Thank you for your attention.

Sincerely,
Laura Magzis
PO Box 8774
Penacook, NH 03303

Carrie Morris

From: Steve Rand <rstevenrand@yahoo.com>
Sent: Wednesday, February 2, 2022 7:36 PM
To: ~House Election Law Committee; Mary Freitas; Joan Hamblet;
russmuirhead@gmail.com; Barbara Griffin; Katherine Prudhomme Obrien; Joe Sweeney;
Peter Hayward; Peter Torosian; Wayne MacDonald; Natalie Wells; Ross Berry; Fenton
Groen; Jim Qualey; David Cote; Gerry Ward; Paul Bergeron; Catt Sandler; Heidi Hamer;
Connie Lane; Joe Alexander
Subject: Vote OTP on HB 1423

Dear Madam Chair and Members of the NH Election Law Committee:

Voters overwhelmingly agree that our current campaign finance system needs to be repaired. The root problem is that the system is based entirely on private contributions, often large donations from a small, unrepresentative slice of the electorate. We need a competitive system that allows candidates to run viable campaigns with small contributions from ordinary citizens. Please vote Ought to Pass (OTP) on HB 1423 Voter-Owned Elections.

Steve Rand

A. M. Rand Company
71 Main Street, Plymouth NH 03264
Call 603-236-6587 e-mail rstevenrand@yahoo.com

Carrie Morris

From: Marjorie Porter
Sent: Tuesday, January 18, 2022 7:01 AM
To: ~House Election Law Committee
Subject: Fact Sheet for HB 1423

Good morning colleagues,

I look forward to being with you tomorrow to present HB 1423 for your consideration.

Attached please find an overview and some FAQs, as prepared by the good folks at Open Democracy Action. Hard copies will be available for you tomorrow as well.

Stay warm and well,

Marjorie Porter

Marjorie Porter
Representative, Hillsborough District 1
Antrim, Hillsborough, Windsor

Carrie Morris

From: KL Bundy <n_bundy@mcttelecom.com>
Sent: Tuesday, January 18, 2022 1:07 PM
To: ~House Election Law Committee
Subject: HB 1423

Dear Madam Chair and Members of the House Election Law Committee,

I am submitting this testimony in favor of HB 1423-FN-A, relative to campaign contributions and expenditures, which establishes a fund for eligible candidates for governor and executive councilors.

Since the 2010 Supreme Court ruling in Citizens United v. FEC, wealthy donors and corporations have exerted undue influence in elections at all levels from the local through the national. Large amounts of money are contributed to campaigns which often rely on misleading attack ads, rather than participation in relevant political conversations about issues. Politicians in New Hampshire have received large donations from hospitals, insurance groups, pharmaceutical corporations, the energy industry, and communications companies. These corporations do not have to publicly disclose their identities, so that citizens do not know who is supporting and influencing candidates.

Such a system directly affects who runs for office and which pieces of legislation are put into law. Candidates of moderate means cannot compete against those funded by deep pockets. The opinions and issues of the wealthy drive the political agenda. Everyday voters hold less weight with candidates.

The solution for this situation is to reform the funding of campaigns so that candidates and elected officials are motivated to serve citizens of New Hampshire rather than big businesses. If enacted, HB 1423 would be a first step in such reform. Candidates have to meet certain criteria to be eligible for voter dollars, and registered voters receive four \$25 certificates that they may assign to the candidates of their choice. Participation by candidates and voters is voluntary. As a result of this reform, engagement between candidates and voters would increase. The number of financially viable candidates would grow, and they would have to work to make voters believe they are the best choice to receive voter dollars. Candidates' focus would turn toward their local constituents instead of corporate donors.

Of course, funding of this system is an important consideration. The report of the bipartisan 2008 Commission to Study the Feasibility of Public Funding of State Election Campaigns has a 2 page list of 64 ideas for sources for public funding. Our fellow New England states of Maine and Connecticut have well-established public funding systems for state elections that have been in place for years.

In the interest of decreasing the influence of big money and increasing grassroots participation by candidates and voters in our elections, I ask you to support this bill.

Carrie Morris

From: Anna Kellar <anna@democracymaine.org>
Sent: Tuesday, January 18, 2022 5:09 PM
To: ~House Election Law Committee
Cc: doreen@opendemocracy.me
Subject: Testimony for HB1423 hearing 1/19/22

Hello,

Please find attached testimony for the Election Law Committee on HB1423.

Thank you!

Anna

Anna Kellar (They / Them / Theirs)
Executive Director
League of Women Voters of Maine and Maine Citizens for Clean Elections
Learn more about our collaboration at www.democracymaine.org
207-252-9248

Carrie Morris

From: Beverly Cotton <bevcott@gmail.com>
Sent: Wednesday, February 2, 2022 2:55 PM
To: ~House Election Law Committee; Beverly Cotton
Subject: HB1423

Dear Madam Chair and Members of the NH Election Law Committee:

I feel our current campaign finance system needs to be reformed. Large dollar donations from a single entity of the electorate often dictate the action of the elected official rather than the majority of the population guiding that. In those instances- who is the candidate going to listen and engage with- me or the entity with big dollars fueling their campaign? We need a more competitive system that allows candidates to run viable campaigns with small contributions from ordinary citizens. Please vote Ought to Pass on HB1423- a good measure for campaign finance reform

Thank you,

Bev Cotton
Weare, NH

Carrie Morris

From: Ruth Heath <ruthmheath@comcast.net>
Sent: Wednesday, February 2, 2022 12:28 PM
To: ~House Election Law Committee
Subject: HB1423 Please vote for this bill

I have been interested in the role of money in politics since I moved to New Hampshire in 1977. It is clear to me and I hope to you, that when voters feel their vote doesn't matter because those elected act not in the citizens' best interests, but in the major donors' interest. We must take money out of politics. This bill is a start that allows a fair way for the average voter to be assured their voice will be heard.

Please vote for HB1423.

Ruth Heath
Canterbury NH

Carrie Morris

From: PJ Whitney <pjwhitney8@gmail.com>
Sent: Wednesday, February 2, 2022 11:26 AM
To: ~House Election Law Committee
Subject: Campaign Contributions

Dear Madam Chair and Members of the NH Election Law Committee:

I am writing you in support of HB 1423. Our current campaign finance system needs to be repaired so that typical NH citizens making small contributions have more impact than candidates' reliance on large private donors. This should apply to all parties. Please vote Ought to Pass (OTP) on HB 1423 Voter-Owned Elections

Sincerely,

PJ Whitney

Dover, NH

Archived: Wednesday, May 18, 2022 10:19:02 AM
From: [Ruth Heath](#)
Sent: Wednesday, February 2, 2022 12:28:01 PM
To: [~House Election Law Committee](#)
Subject: HB1423 Please vote for this bill
Importance: Normal

I have been interested in the role of money in politics since I moved to New Hampshire in 1977. It is clear to me and I hope to you, that when voters feel their vote doesn't matter because those elected act not in the citizens' best interests, but in the major donors' interest. We must take money out of politics. This bill is a start that allows a fair way for the average voter to be assured their voice will be heard.

Please vote for HB1423.

Ruth Heath
Canterbury NH

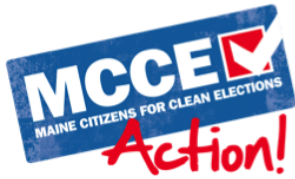
Archived: Wednesday, May 18, 2022 10:19:02 AM
From: Beverly Cotton
Sent: Wednesday, February 2, 2022 2:54:49 PM
To: ~House Election Law Committee; Beverly Cotton
Subject: HB1423
Importance: Normal

Dear Madam Chair and Members of the NH Election Law Committee:

I feel our current campaign finance system needs to be reformed. Large dollar donations from a single entity of the electorate often dictate the action of the elected official rather than the majority of the population guiding that. In those instances- who is the candidate going to listen and engage with- me or the entity with big dollars fueling their campaign? We need a more competitive system that allows candidates to run viable campaigns with small contributions from ordinary citizens. Please vote Ought to Pass on HB1423- a good measure for campaign finance reform

Thank you,

Bev Cotton
Weare, NH



TO: The Honorable Barbara Griffin
The Honorable Wayne McDonald
Members of the Committee on Election Law

DATE: January 19, 2022

RE: HB 1423

My name is Anna Kellar, and I am the Executive Director of Maine Citizens for Clean Elections, a nonpartisan nonprofit organization working to ensure that Maine's campaign finance laws, elections, and government serve the public interest, both in principle and in practice. We engage Maine people from across the political spectrum, using research, education, and outreach to further fairness, inclusion, and opportunity in our politics.

For over 25 years Maine Citizens for Clean Elections has advocated for Maine's Clean Election Act (MCEA) public funding system. We were there at the start to advocate for its enactment in 1996, during the early years when participation was ramping up, when budget challenges and court decisions threatened to weaken the program, and up to today where it is well-established and continues to enjoy broad support among the candidates and the general public.

A small donor financing system, like Maine's Clean Elections Act, or the proposed Voter Dollar bill you are considering today, ensures that good candidates can have a shot at running for office even if they don't have deep pockets. It also promotes issue-oriented campaigns and direct discussions about what the state needs to move forward. It helps mitigate the role of big money coming in from out of state.

Candidates of all parties like Clean Elections. Between 60-65% of candidates for Maine Legislature choose the Clean Elections option in each cycle because it is a convenient way to raise campaign funds without being beholden to anyone but their constituents. Republican State Senator Ed Youngblood said, "I ran my first race using clean elections, and I knew right away that I wouldn't run any other way... We all want to keep our government responsive to the people and out of the hands of too few."

The voters like Clean Elections too. When the program was weakened by Supreme Court decisions in the early 2010s, Maine voters passed a second citizen initiative to strengthen Clean Elections and increase transparency - a referendum which won with a ten-point margin.

Across the country, small-donor-powered funding programs are gaining traction. They are an effective response to the floods of dark money that pour into state elections. By putting more power in the hands of voters, these programs strengthen our communities and our republic.

I would be happy to speak with any committee members who would be interested in learning more about Maine's experience or to connect you with Maine legislators who can speak to their experiences running as Clean Elections candidates.

Archived: Wednesday, May 18, 2022 10:19:05 AM
From: [Anna Kellar](#)
Sent: Tuesday, January 18, 2022 5:09:51 PM
To: ~House Election Law Committee
Cc: doreen@opendemocracy.me
Subject: Testimony for HB1423 hearing 1/19/22
Importance: Normal

Hello,

Please find attached testimony for the Election Law Committee on HB1423.

Thank you!
Anna

Anna Kellar (They / Them / Theirs)
Executive Director
League of Women Voters of Maine and Maine Citizens for Clean Elections
Learn more about our collaboration at www.democracymaine.org
207-252-9248

Archived: Wednesday, May 18, 2022 10:19:10 AM
From: [John Rauh](#)
Sent: Friday, January 14, 2022 3:43:16 PM
To: [~House Election Law Committee](#)
Cc: olivia@opendemocracy.me
Subject: Testimony in support of HB 1423
Importance: Normal

The Honorable Barbara Griffin
Election Law
Legislative Office Building, Room 308,
Concord, NH 03301

TESTIMONY in SUPPORT of HB 1423

Dear Chai Griffin and Members of Election Law Committee,

For the record my name is John Rauh from New Castle, New Hampshire. I founded a national Democracy reform group, Americans for Campaign Reform, now part of Issue One, based in Washington, DC. In 1992, I was the Democratic nominee for the U.S. Senate from New Hampshire, and I was a board member of national Common Cause from 1998 to 2002.

I first started working on public funding of New Hampshire elections in 1997, and in 2008, I served on the New Hampshire Public Funding of Elections Commission. This bi-partisan commission, enacted by HB 794, was created to study the feasibility of public funding of state election campaigns. I urge you to read the bi-partisan report of the commission. The need to address the increasing influence of money in politics is far more urgent today than in 2008.

I support this bill because:

Our New Hampshire citizens are ready - 80% of our citizens believe big money in New Hampshire elections is a problem and 63% support public funding of elections. (Public Policy Polling - December 13-14, 2017)

HB 1423 addresses one of the most important long-term issue our state and country faces: ensuring that the interests of the voters is above, or at least equal to, corporations, unions, and other special interests. Our current private funding system has less than 1% of New Hampshire's citizens giving the vast majority of political donations - most large donations are from business interests who expect access and favors. A voter-owned elections system like HB 1423 allows voters to become the primary donors - and influencers.

For those who question the cost, I ask, "What is the cost to the State when special interest money influences legislation which is not in the interest of the voters. Consider the 2011 cigarette tax cut which cost the state an estimated \$14 million in revenue and resulted in increases in profits

for the tobacco companies at the expense of public health. In a voter-owned election system, this would be far less likely to happen. Today's pool of prospective candidates for high office is small, limited primarily to those with a famous name, wealth, or rich contacts from whom to raise campaign funds. Public funding will attract electable candidates with a zeal to represent the voters as they will not need to beg for money to finance their campaign. The voices of all voters, and the perspectives of all citizens should have an equal opportunity to be heard.

Please vote OTP on HB 1423.

John Rauh

jdauh5@aol.com

603 498 7477

Archived: Wednesday, May 18, 2022 10:19:01 AM

From: Steve Rand

Sent: Wednesday, February 2, 2022 7:36:41 PM

To: ~House Election Law Committee; Mary Freitas; Joan Hamblet; russmuirhead@gmail.com; Barbara Griffin; Katherine Prudhomme Obrien; Joe Sweeney; Peter Hayward; Peter Torosian; Wayne MacDonald; Natalie Wells; Ross Berry; Fenton Groen; Jim Qualey; David Cote; Gerry Ward; Paul Bergeron; Catt Sandler; Heidi Hamer; Connie Lane; Joe Alexander

Subject: Vote OTP on HB 1423

Importance: Normal

Dear Madam Chair and Members of the NH Election Law Committee:

Voters overwhelmingly agree that our current campaign finance system needs to be repaired. The root problem is that the system is based entirely on private contributions, often large donations from a small, unrepresentative slice of the electorate. We need a competitive system that allows candidates to run viable campaigns with small contributions from ordinary citizens. Please vote Ought to Pass (OTP) on HB 1423 Voter-Owned Elections.

Steve Rand

A. M. Rand Company
71 Main Street, Plymouth NH 03264
Call 603-236-6587 e-mail rstevenrand@yahoo.com

Dear Madam Chair and Members of the House Election Law Committee,

I understand that this morning you will be in executive session on HB 1423-FN-A, relative to campaign contributions and expenditures, which establishes a fund for eligible candidates for governor and executive councilors.

The influence of wealthy special interests has increased significantly in our state elections since the 2010 Supreme Court ruling in Citizens United v. FEC. As a result, candidates spend less time listening to the concerns of everyday constituents. Additionally, qualified people do not run for office because they lack the means themselves or do not have connections to wealthy donors.

The solution for this situation is to reform the funding of campaigns so that candidates and elected officials are motivated to serve citizens of New Hampshire rather than big businesses. If enacted, HB 1423 would be a first step in such reform. Engagement between candidates and voters would increase. The number of financially viable candidates would grow, and they would have to work to make voters believe they are the best choice to receive voter dollars. Candidates' focus would turn toward their local constituents instead of corporate donors.

In the interest of decreasing the influence of big money and increasing grassroots participation by candidates and voters in our elections, I ask you to vote Ought to Pass on HB 1423.

Respectfully,

Linda Olson Bundy

Antrim

Archived: Wednesday, May 18, 2022 10:19:07 AM

From: [Marjorie Porter](#)

Sent: Tuesday, January 18, 2022 7:00:49 AM

To: [~House Election Law Committee](#)

Subject: Fact Sheet for HB 1423

Importance: Normal

Good morning colleagues,

I look forward to being with you tomorrow to present HB 1423 for your consideration.

Attached please find an overview and some FAQs, as prepared by the good folks at Open Democracy Action. Hard copies will be available for you tomorrow as well.

Stay warm and well,

Marjorie Porter

Marjorie Porter

Representative, Hillsborough District 1

Antrim, Hillsborough, Windsor

HB 1423-FN-A - AS INTRODUCED

2022 SESSION

22-2368

11/08

HOUSE BILL

1423-FN-A

AN ACT relative to campaign contributions and expenditures, and making an appropriation therefor.

SPONSORS: Rep. Porter, Hills. 1; Rep. Muirhead, Graf. 12; Rep. Sullivan, Sull. 1; Rep. Guthrie, Rock. 13; Rep. Vann, Hills. 24; Rep. M. Smith, Straf. 6

COMMITTEE: Election Law

ANALYSIS

This bill establishes a fund to provide campaign financing for eligible candidates for governor and councilor and makes an appropriation to the fund. Candidates qualify for financing by collecting a requisite number of qualifying contributions, limiting the size of private contributions, and complying with other provisions of the public financing law. The bill also establishes a voter-owned elections commission to administer the fund.

.....

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 Two

AN ACT relative to campaign contributions and expenditures, and making an appropriation therefor.

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

1 1 Findings and Purpose.

2 I. New Hampshire voters want change in the way political campaigns are funded in the
3 state. According to a December, 2017 poll, 80 percent of granite state voters believe "big money" is a
4 problem in New Hampshire elections, including 85 percent of independent voters (I), 74 percent of
5 Republicans (R), and 79 percent of Democrats (D). Eighty percent believe special interests have
6 more influence than voters (76 percent I, 86 percent R, 83 percent D). Sixty-three percent support a
7 system of public financing of political campaigns (68 percent I, 50 percent R, 60 percent D). Sixty-
8 four percent would be more likely to vote for a candidate who participates in a public financing
9 program (66 percent I, 59 percent R, 71 percent D).

10 II. The purpose of the New Hampshire voter-owned elections act is to increase citizen
11 engagement and reduce corruption and the appearance of corruption in government through a
12 voluntary system that, in exchange for limited public financing, requires participating candidates to
13 accept only small private campaign contributions.

14 2 New Subparagraph; Application of Receipts; General Revenue Exceptions; Voter-Owned
15 Elections Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (382) the following new
16 subparagraph:

17 (383) Moneys deposited in the New Hampshire voter-owned elections fund
18 established in RSA 664-A:2.

19 3 Voter-Owned Elections Commission. Amend RSA 5:13 to read as follows:

20 5:13 Commissions and Boards Functioning Within Department. The ballot law commission, ***the***
21 ***voter-owned elections commission***, the boxing and wrestling commission, and the joint board of
22 licensure and certification shall each function within the department of state as a separate
23 organizational entity and with all the powers and duties as heretofore provided, except as otherwise
24 provided by law.

25 4 Political Expenditures and Contributions; Complaints. Amend the introductory paragraph of
26 RSA 664:18 to read as follows:

27 664:18 Complaints. Any candidate or voter may make complaint in writing to the attorney
28 general of any violation of any of the provisions of this chapter ***or of RSA 664-A***.

29 5 Political Expenditures and Contributions; Enforcement; Penalty. Amend RSA 664:21, I to
30 read as follows:

1 I. Any fine assessed under the provision of this section shall be paid to the secretary of state
2 for deposit into the ~~[general]~~ ***New Hampshire voter-owned elections*** fund.

3 6 New Chapter; Public Financing of Elections. Amend RSA by inserting after chapter 664 the
4 following new chapter:

5 CHAPTER 664-A

6 PUBLIC FINANCING OF ELECTIONS

7 664-A:1 Definitions. In this chapter:

8 I. "Affidavit of registration" means a form completed and filed by a candidate according to
9 procedures and forms developed by the New Hampshire voter-owned elections commission
10 demonstrating and certifying that the candidate will comply with all the requirements of this
11 chapter.

12 II. "Commission" means the New Hampshire voter-owned elections commission established
13 in RSA 664-A:9.

14 III. "Contested general election" means an election in which 2 or more general election
15 candidates for governor or council each report expenditures of \$100,000 or \$10,000, respectively, or
16 more during the current election cycle.

17 IV. "Declaration of intent" means a form completed and filed by a candidate, according to
18 procedures, forms, and deadlines developed by the New Hampshire voter-owned elections
19 commission, declaring intent to seek certification as a "participating candidate" under this chapter.

20 V. "Election cycle" means the 2-year period beginning the day after each state general
21 election.

22 VI. "Fund" means the New Hampshire voter-owned elections fund established in RSA 664-
23 A:2.

24 VII. "General election campaign period" means the period beginning the day after the state
25 primary election and ending the day of the state general election.

26 VIII. "Independent expenditures" means funds spent to pay for the development and
27 distribution of a communication that advocates, expressly or otherwise, the election or defeat of a
28 clearly identified candidate or candidates, but are not contributions.

29 IX. "Nonparticipating candidate" means a candidate who does not choose to participate in
30 the publicly funded elections program in this chapter, and who is not seeking certification as a
31 participating candidate.

32 X. "Participating candidate" means a candidate who has been certified by the New
33 Hampshire voter-owned elections commission to receive voter-owned elections funding pursuant to
34 this chapter.

35 XI. "Primary election" means a state primary election. For purposes of this chapter,
36 primary election shall include only those elections held to nominate candidates of a party, as defined
37 by RSA 652:11.

HB 1423-FN-A - AS INTRODUCED
- Page 3 -

1 XII. "Primary election campaign period" means the period beginning the first day of the
2 current election cycle and ending the day of the state primary election.

3 XIII. "Private contribution" means a contribution to a participating candidate from a private
4 individual or other nongovernmental source.

5 XIV. "Public contribution" means a contribution to a participating candidate from public
6 funds, including voter dollars and grants described in RSA 664-A:7 and RSA 664-A:8, respectively.

7 XV. "Qualifying contribution" means a contribution meeting the requirements of RSA 664-
8 A:4.

9 XVI. "Qualifying form" means a form completed by a contributor according to procedures
10 and forms developed by the New Hampshire voter-owned elections commission that acknowledges a
11 qualifying contribution and meets the requirements of RSA 664-A:4.

12 XVII. "Qualifying period" means the period during which a candidate seeking to be a
13 participating candidate must file an affidavit of registration. This period begins on the first day of
14 the current election cycle and ends 21 days before the primary election.

15 XVIII. "Unspent public contributions" means the amount of public money remaining in a
16 participating candidate's campaign account at the end of his or her campaign or, for candidates who
17 withdraw from an election, at the time of withdrawal, and is calculated as the lesser of:

18 (a) Total public donations received by the candidate for the current election cycle; and

19 (b) All of the candidate's campaign funds remaining following the end of the current
20 election cycle and after any post-election audit mandated under RSA 664-A:10, II.

21 664-A:2 New Hampshire Voter-Owned Elections Fund Established.

22 I. There is established the New Hampshire voter-owned elections fund to be used for the
23 purposes of providing public financing for the primary and general election campaigns of
24 participating candidates and paying for the administrative costs of this chapter.

25 II. This nonlapsing, revolving special fund is hereby continually appropriated to the
26 commission for the purpose of implementing RSA 664-A, including voter dollars, grants, and all costs
27 necessary to administer the provisions of RSA 664-A. The state treasurer shall invest the moneys
28 deposited in the fund as provided by law. Interest received on investments made by the state
29 treasurer shall also be credited to the fund.

30 III. The following moneys shall be deposited in the fund:

31 (a) Voluntary donations made directly to the fund.

32 (b) Unspent public contributions.

33 (c) Fines assessed for violations of RSA 664 and RSA 664-A.

34 (d) Interest generated by the fund.

35 IV. Unspent public contributions as defined in this chapter shall not be subject to the
36 requirements of RSA 664:4-b.

37 V. Moneys deposited in the fund shall only be used for purposes described in RSA 664-A:2, I

1 and shall not be transferred, appropriated, or used for any other purpose.

2 **664-A:3 Qualifications for Certification of Participating Candidates.**

3 I. A candidate qualifies as a participating candidate for the primary election campaign
4 period if:

5 (a) The candidate collects the required number of qualifying contributions and, during
6 the qualifying period, files with the secretary of state and the commission an affidavit of registration,
7 signed by the candidate and the candidate's fiscal agent, according to procedures developed by the
8 commission, certifying that the candidate has complied and shall comply with the requirements of
9 this chapter.

10 (b) The candidate files a signed form developed by the commission that disavows
11 independent expenditures on the candidate's behalf.

12 (c) The commission thereafter certifies the candidate as a participating candidate.

13 II. A candidate qualifies as a participating candidate for the general election campaign
14 period if the candidate was a participating candidate for the primary election campaign period and:

15 (a) Has been declared nominated; or

16 (b) Did not have a primary contest.

17 III. The commission shall provide candidates whom the commission has denied certification
18 written determination of its decision. Such candidates may seek judicial review of that decision.

19 **664-A:4 Qualifying Contribution Requirements.**

20 I. A candidate shall collect at least the following number of contributions:

21 (a) 2,500 for a candidate for governor.

22 (b) 500 for a candidate for councilor.

23 II. Each qualifying contribution shall be acknowledged by a qualifying form, according to
24 procedures developed by the commission, signed under penalty of perjury by the contributor. The
25 form shall include but not be limited to the contributor's printed name and domicile for voting
26 purposes, the name of the candidate, certification by the contributor that the contribution was all
27 from his or her personal funds, and certification that the purpose of the contribution is to help the
28 candidate qualify for publicly financed elections funding and involved no exchange of value.

29 III. Contributors may make qualifying contributions to multiple candidates but may make
30 no more than one qualifying contribution to any individual candidate per election cycle.

31 IV. Qualifying forms shall be submitted in bulk to the secretary of state during the
32 qualifying period, and shall be accompanied by a list in electronic format which may be made readily
33 accessible to the public according to procedures developed by the commission.

34 V. The candidate shall retain copies of the qualifying forms.

35 VI. Qualifying contributions shall be made by check, money order, or credit card payable to
36 the candidate according to procedures developed by the commission.

37 VII. Qualifying contributions shall be made only from personal moneys by individuals who

1 are registered to vote in the candidate's district.

2 VIII. Qualifying contributions shall be between \$5 and \$125 for candidates for executive
3 council and between \$5 and \$250 for candidates for governor, and shall be received by the candidate
4 during the qualifying period.

5 IX. Qualifying contributions shall be subject to review and audit in number, amount, source,
6 and qualifications according to procedures developed by the commission.

7 664-A:5 Objection to Certification. Any objection to the certification of a candidate shall be
8 made in writing to the voter-owned commission no later than 7 days following the last day of the
9 qualifying period. Upon receipt of the objection, the commission shall notify the candidate in writing
10 of the time and place for its hearing. The commission shall determine whether a candidate qualifies
11 as a participating candidate within 7 days of receiving the objection. If the commission determines
12 that the candidate does not meet the requirements of this chapter, it may refuse to certify the
13 candidate or revoke the candidate's eligibility and order the candidate to return to the fund any
14 payments received pursuant to this chapter. The commission shall provide candidates whom the
15 commission has denied certification pursuant to this section written determination of its decision.
16 Such candidates may seek judicial review of that decision.

17 664-A:6 Requirements of Participating Candidates.

18 I. Only candidates for the following offices are eligible to be participating candidates:

19 (a) Governor.

20 (b) Executive councilor.

21 II. A participating candidate shall not expend for campaign purposes more than \$15,000 for
22 governor and \$10,000 for councilor of any preexisting funds raised for any elected office prior to the
23 first day of the election cycle for which the candidate seeks certification.

24 III. During the primary election campaign period, a participating candidate shall not accept
25 aggregate private contributions, including qualifying contributions, from any single contributor
26 exceeding \$250 for governor and \$125 for executive council. The same limits apply during the
27 general election campaign period. As public contributions, voter dollars do not count toward these
28 limits.

29 IV. No more than 10 percent of the total dollar value of private contributions made to a
30 participating candidate during an election cycle may come from out-of-state individuals or
31 organizations. For the purposes of this paragraph, an out-of-state organization is any entity that
32 cannot truthfully attest that 75 percent or more of its funding originates from citizens of New
33 Hampshire.

34 V. The following sources are prohibited from making private contributions to participating
35 candidates:

36 (a) Business organizations.

37 (b) Unions.

1 (c) Lobbyists.

2 VI. Participating candidates may spend up to \$5,000 in personal, noncontributed funds for a
3 gubernatorial race and up to \$1,000 for a council race. For purposes of this paragraph, race includes
4 both primary and general elections.

5 VII. A volunteer may donate up to \$50 worth of goods and services to a participating
6 candidate per month. A volunteer's time or voluntary use of personal vehicles shall not be
7 considered a donation for purposes of this paragraph.

8 VIII. A participating candidate shall not solicit independent expenditures on his or her
9 behalf and shall publicly disavow such expenditures.

10 IX. A participating candidate's contributions and expenditures shall be directed through a
11 single committee.

12 X. A participating candidate's campaign funds may only be used for direct campaign
13 purposes. The following uses of campaign funds are prohibited:

14 (a) Personal use.

15 (b) Payments to other candidates, parties and political committees, and groups or
16 individuals making independent expenditures.

17 (c) Gifts.

18 (d) Additional uses determined by the commission.

19 XI. Once certified as a participating candidate, the candidate shall submit all contribution
20 and expenditure data electronically via the system developed under RSA 664-A:9, X(e)(1) and comply
21 with reporting deadlines established by the commission. If any precertification data has not already
22 been entered into the system, the candidate shall immediately resubmit it electronically.

23 664-A:7 Voter Dollars.

24 I.(a) On a date to be determined by the commission, but no later than the first business day
25 in May of every general election year, the secretary of state shall mail to each person who was by the
26 previous November 15 registered to vote in the state of New Hampshire, including any person
27 prohibited from contributing private contributions under RSA 664-A:6, V, at his or her address in
28 the voter registration records, 4 certificates worth 25 voter dollars each.

29 (b) Thereafter, the secretary of state shall issue 4 \$25 certificates to any person who
30 becomes a New Hampshire registered voter on or before October 1 of the general election year.

31 (c) The commission shall establish a secure online system for delivery of certificates to
32 voters, without prejudice to any eligible person's right to receive certificates in the mail at his or her
33 option, no later than prior to the 2024 election cycle, unless the commission determines this target
34 date is not practicable; and in any event no later than the 2026 election cycle.

35 II. Each certificate shall state the holder's name, home address, unique certificate
36 identification number, the election year, and words of assignment with blank spaces for the holder to
37 designate a participating candidate's name and office sought and to sign the holder's name.

1 III. Certificates are only transferable or assignable as stated herein. Any person properly
2 obtaining and holding a certificate may assign it by writing the name and office sought of the
3 assignee candidate, and signing the holder's name on and dating the certificate where indicated
4 thereon, and delivering the signed and dated certificate to the candidate, or to the commission, or to
5 any candidate's representative who shall be registered for this purpose with the commission.
6 Delivery of assigned certificates may be by mail, in person by any person the holder requests to
7 deliver the certificate, or electronically via a secure online system developed by the commission.

8 IV.(a) No certificate may be assigned after the last business day in November following the
9 election.

10 (b) A candidate or registered candidate representative may seek assignment in person or
11 through registered candidate representatives or by assisting a voter to access the commission's
12 secure online system.

13 (c) A valid assignment of a certificate shall be irrevocable.

14 (d) A person may assign any number of his or her certificates to the same candidate in a
15 given year.

16 (e) Assignment or transfer for cash or any consideration is prohibited. Offering to
17 purchase, buy, or sell a certificate is prohibited. No person may give a certificate to another person,
18 except by assigning it to a candidate as provided herein. Certificates have no cash value and are not
19 assets, income, or property of the holder. A certificate shall not be assigned by proxy or power of
20 attorney or by an agent.

21 V. The commission shall pay from the fund to each participating candidate's campaign \$25
22 for each certificate that has been validly assigned to that candidate. Before issuing payments, the
23 commission shall ensure that each certificate was validly issued to and assigned by an eligible voter.
24 The commission shall redeem certificates on published regular redemption dates that shall be no less
25 frequent than twice a month, and may redeem certificates on other dates notified in advance if
26 practicable. The commission shall not redeem any certificate received by the commission after the
27 first business day in the month of December after the general election.

28 VI. No gubernatorial candidate shall be paid more than \$420,000 and council candidate
29 more than \$84,000 per election cycle for voter dollar certificates assigned. Excess certificates shall
30 be returned to their assignors in a timely manner, and the name of and office sought by any
31 candidate who has reached such limit shall be made publicly available.

32 VII.(a) The commission shall administer the certificate program and shall adopt rules
33 consistent with this section to ensure the certificate program is operated efficiently, fairly, and
34 transparently. The rules shall provide for a complaint and adjudication process in which citizens
35 and candidates may petition the commission for correction of errors or remedies for unlawful action
36 affecting the certificate program.

37 (b) Prior to each election cycle, the commission shall inform the public about the

1 certificate program through the media and other sources, and shall publish guidebooks and forms for
2 candidates and certificate recipients, and any other documents necessary for efficient and
3 widespread operation of the program.

4 (c) The commission shall record and publish on its website the name, but not the
5 address, of each certificate holder that has made an assignment and the name of the candidate that
6 is the assignee.

7 664-A:8 Grants.

8 I. In addition to voter dollars collected pursuant to RSA 664-A:7, a candidate who has
9 qualified as a participating candidate for the general election campaign period shall be eligible for
10 the following amounts from the fund:

11 (a) Candidate for governor:

12 (1) \$1,000,000 grant from the fund for a contested general election.

13 (2) \$50,000 grant from the fund for an uncontested general election.

14 (b) Candidate for councilor:

15 (1) \$60,000 grant from the fund for a contested general election.

16 (2) \$10,000 grant from the fund for an uncontested general election.

17 II. A candidate shall receive grant funding upon qualification as a participating candidate
18 for the general election campaign period.

19 664-A:9 New Hampshire Voter-Owned Elections Commission.

20 I. There is hereby established a New Hampshire voter-owned elections commission.

21 II. The members of the commission shall be as follows:

22 (a) One member appointed by the president of the senate.

23 (b) One member appointed by the minority leader of the senate.

24 (c) One member appointed by speaker of the house of representatives.

25 (d) One member appointed by minority leader of the house of representative.

26 (e) One member appointed by a majority of the appointees listed in subparagraphs (a)-
27 (d).

28 III. No person may serve on the commission who is a candidate for office. No member of the
29 commission may publicly endorse any candidate for office or financially contribute to a candidate for
30 office while serving on the commission.

31 IV. All appointments to the commission shall be made within 60 days of the effective date of
32 this section.

33 V. The members of the commission shall elect a chairman from among the members.

34 VI. The commission shall have jurisdiction of and be responsible for the execution of the
35 provisions of this chapter. The commission shall adopt rules relative to the commission's procedures.

36 VII. The commission shall recommend to the legislature any adjustments to dates, numbers,
37 and dollar values in this chapter that the commission deems necessary. Positive adjustments for

1 inflation as described in RSA 664-A:14 are exempt from this requirement.

2 VIII.(a) The commission shall evaluate and implement strategies for soliciting voluntary
3 donations to the fund established in RSA 664-A:2. The commission shall develop solicitation
4 strategies targeting individuals, businesses, nonprofit organizations, and political organizations.

5 (b) The commission shall develop printed material with the secretary of state to be
6 enclosed with mailings under paragraph VII that explains the New Hampshire voter-owned elections
7 system and instructs recipients on how to donate to the fund. Copies of materials developed under
8 this subparagraph shall also be made available to agencies requesting them.

9 (c) The commission shall evaluate methods for encouraging donated advertising that
10 may, consistent with state and federal law, be distributed on an equal basis to participating
11 candidates. Such advertising may include broadcast media, print media, and donated services from
12 printers, mailing services, and consultants.

13 (d) The commission shall, based upon experience gained in the first or subsequent
14 implementations of the public financing system, determine whether a candidate who has received
15 contributions that do not meet the requirements of RSA 664-A:4, VII or VIII, or RSA 664-A:6, III, V,
16 or VI may still be eligible for certification once the prohibited donations and the excess of donations
17 that exceed the limits specified in RSA 664-A:4, VIII or RSA 664-A:6, III have either been returned
18 to contributors or donated to the fund.

19 IX. The commission shall examine the feasibility of collecting voluntary donations to the
20 fund via a system in which any state agency and political subdivision acting on behalf of any state
21 agency, sending any tax bill, tax form, registration form, or license or certificate application or
22 renewal by mail or online shall, upon request of the commission, include a brief statement about the
23 New Hampshire voter-owned elections system and include:

24 (a) The URL of a website providing information and a procedure for contributing to the
25 fund; and

26 (b) An add-on box allowing recipients to add money to their bill to benefit the fund,
27 suggested donation amounts to be determined by the commission.

28 X. The commission shall:

29 (a) Render advisory opinions with respect to questions arising under this chapter upon
30 the written request of a candidate, an officer of a political committee, or a member of the public, or
31 upon its own initiative.

32 (b) Make public the questions of interpretation for which advisory opinions will be
33 considered by the commission and the advisory opinions rendered, including by publication on its
34 website in a format such that advisory opinions are searchable by keyword.

35 (c) Develop a program for informing and training candidates and the public as to the
36 purpose and effect of the provisions of this chapter, including by means of a website.

37 (d) In cooperation with the secretary of state, develop an interactive, searchable

1 computer database that shall contain all information necessary for the proper administration of this
2 chapter, including information on contributions to and expenditures by candidates and their
3 authorized committees and distributions of moneys from the fund, and that shall be accessible to the
4 public on the state website.

5 (e)(1) In cooperation with the secretary of state, develop an electronic reporting system
6 to process the campaign receipts, contributions, transfers, and expenditures required to be filed
7 pursuant to the provisions of this chapter.

8 (2) Determine whether such a reporting system should be structured as a
9 clearinghouse, that is, a system in which all contributions to participating candidates are posted and
10 vetted in real time as they are made.

11 (3) Make all data from the electronic reporting process available at all times on the
12 Internet in a format that is searchable by keyword and by the name of any candidate, contributor, or
13 recipient of campaign expenditures mentioned in the filing.

14 664-A:10 Audits.

15 I. The commission may conduct a thorough examination and pre-election audit of the
16 contributions and campaign expenses of every participating candidate. Such audits shall be
17 conducted as frequently as the commission deems necessary to ensure compliance with this chapter.

18 II. The commission shall conduct post-election audits as deemed necessary, but in any event
19 shall audit no less than 25 percent of participating candidates running for office in each election year
20 selected at random. The cost of complying with a post-election audit shall be borne by the
21 candidate's authorized committee. A candidate who has received public funds under this chapter
22 shall maintain a reserve of at least one percent of the total amount of public and private donations
23 received in his or her campaign account to comply with the post-election audit.

24 III. The commission shall issue to each campaign audited the final post-election audit report
25 that details its findings and shall provide such audit to the governor and legislative leaders and
26 make such audit report available on the commission's website. Final post-election audit reports
27 shall be completed no later than 12 months after the date of the election that is subject of the audit.
28 This audit deadline shall not apply in cases involving potential campaign-related fraud, knowing
29 violations of this chapter, or other criminal activity.

30 664-A:11 Penalties.

31 I. Any person who violates this chapter, but cannot be shown to having knowingly done so,
32 shall be subject to a civil penalty, unless the commission determines the violation was de minimis.
33 The person shall be subject to a fine of \$10,000, or the total amount of illegal contributions and
34 expenditures, whichever is greater.

35 II. Any person who knowingly violates the provisions of this chapter shall be guilty of a
36 misdemeanor and shall be subject to a fine of \$20,000 or twice the total amount of illegal
37 contributions and expenditures, whichever is greater. Such violations by elected candidates may

1 constitute impeachable offenses. The limitations in RSA 651:2, IV shall not apply to fines under this
2 paragraph.

3 III. Any person who knowingly makes a false statement or knowingly omits a material fact
4 to the commission or any another official during any investigation conducted pursuant to this section
5 shall be guilty of a class B felony.

6 IV. Any person found by the commission to have violated provisions of this chapter may seek
7 judicial review.

8 V. All fines imposed pursuant to this section shall be made payable to the fund.

9 664-A:12 Reports to General Court.

10 I. As soon as practicable after each general election in which public contributions were
11 expended, but no later than 30 days after the general election, the commission shall file a
12 preliminary report to the governor and general court containing summary information about the
13 fiscal status of the fund, make recommendations regarding appropriations to the fund in the
14 following year, and take whatever actions are appropriate to:

15 (a) Secure any additional funds required in the state budget.

16 (b) Initiate legislation to secure additional funding from other sources.

17 II. The commission shall report to the general court after each election cycle regarding the
18 fund, no later than the first day of July of the year following a general election. The report shall
19 include a detailed summary of all contributions, qualifying contributions, payments from the fund,
20 and expenditures made by all participating candidates. The report shall also include a summary
21 and evaluation of the commission's activities, and recommendations relative to the implementation
22 and administration of this chapter.

23 III. In the first report the commission prepares pursuant to paragraph II and, if applicable,
24 to subsequent reports, the commission shall recommend whether the public financing system should
25 be expanded to include special elections and elections for state senate and house of representatives.
26 The recommendation shall state the potential benefits and obstacles of expanding the program, and,
27 if the commission recommends expanding the program, shall estimate the cost of the expanded
28 program and explain the need for additional commission staff or legal changes necessary to
29 efficiently implement the expanded program.

30 IV. In the second report the commission prepares pursuant to paragraph II and, if
31 applicable, subsequent reports, the commission shall recommend whether the public financing
32 system should be expanded to include elections for United States Senate and House of
33 Representatives. The recommendation shall state the potential benefits and obstacles of expanding
34 the program, and shall fully explore all legal obstacles to such expansion. If the commission
35 recommends expanding the program, it shall estimate the cost of the expanded program and explain
36 the need for additional commission staff or legal changes necessary to efficiently implement the
37 expanded program.

1 664-A:13 Shortfall in Fund.

2 I. Following the state primary election, the commission shall project the amount of public
3 funds to be distributed in the general election period. If the commission determines that there will
4 not be sufficient money in the fund to finance all participating candidates in accordance with RSA
5 664-A:7 and RSA 664-A:8, the commission shall make every attempt to correct the shortfall by, at its
6 discretion:

7 (a) Reducing the dollar amount to be paid out for each voter dollar certificate
8 subsequently assigned;

9 (b) Reducing the dollar amount of per-candidate limits on funds paid out for voter dollar
10 certificates;

11 (c) Reducing the dollar amount to be paid out in each general election grant.

12 II. If the reductions in paragraph I of this section are inadequate, the commission may, at its
13 discretion, increase the private contribution dollar limits currently imposed upon participating
14 candidates.

15 III. In choosing any of the actions listed in paragraphs I and II of this section, the
16 commission shall not intentionally favor any candidate or political party.

17 664-A:14 Adjustment for Inflation. At the beginning of each general election year, commencing
18 in 2024, the commission, using an inflation calculator based on the consumer price index for all
19 urban consumers published by the United States Bureau of Labor Statistics, shall adjust to the
20 nearest \$5 the amount of each current dollar limit or threshold mentioned in this chapter, with the
21 exception of the qualifying contribution threshold, to account for inflation since each limit or
22 threshold was last updated. Not later than the first day of February in each such year, the
23 commission shall adopt a rule establishing each adjusted amount.

24 664-A:15 Severability. If any clause, article, sentence, subdivision, paragraph, section, or part of
25 this chapter be adjudged by any court of competent jurisdiction to be invalid, such judgment shall
26 not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the
27 clause, sentence, subdivision, paragraph, section, or part thereof directly involved in the controversy
28 in which such judgment shall have been rendered.

29 664-A:16 Certification by the State Treasurer.

30 I. The state treasurer shall certify to the New Hampshire voter-owned elections commission
31 the date that the balance in the New Hampshire voter-owned elections fund reaches \$1,800,000. On
32 the November 1 next following such certification at least one year prior to the elections, the
33 commission shall commence administering the public financing provisions of RSA 664-A relating to
34 campaigns for executive council.

35 II. The state treasurer shall certify to the New Hampshire voter-owned elections commission
36 the date that the balance in the New Hampshire voter-owned elections fund reaches \$5,000,000. On
37 the November 1 next following such certification at least one year prior to the election, the New

1 Hampshire voter-owned commission shall commence administering the public financing provisions
2 of RSA 664-A relating to campaigns for governor.

3 7 Appropriation. The sum of \$1 for the fiscal year ending June 30, 2023 and the sum of \$1 for
4 the fiscal year ending June 30, 2026 are hereby appropriated to the voter-owned elections fund
5 established in RSA 664-A:2. The governor is authorized to draw a warrant for said sums out of any
6 money in the treasury not otherwise appropriated.

7 8 Effective Date.

8 I. Section 7 of this act shall take effect July 1, 2022.

9 II. The remainder of this act shall take effect upon its passage.

HB 1423-FN-A- FISCAL NOTE
AS INTRODUCED

AN ACT relative to campaign contributions and expenditures, and making an appropriation therefor.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$1	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General <input type="checkbox"/> Education <input type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - Voter Owned Elections Fund			

COUNTY:

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill establishes a fund to provide campaign financing for eligible candidates for governor and executive councilor and makes an appropriation to the fund. Candidates qualify for financing by collecting a requisite number of qualifying contributions, limiting the size of private contributions, and complying with other provisions of the public financing law. The bill also establishes a voter-owned elections commission to administer the fund.

The Department of State indicates there will be an indeterminable impact on State expenditures. They note if they assume there will be 800,000 voters on the checklist for the 2024 election cycle and the cost to conduct a mailing of vouchers to include; producing, labeling and postage would be \$1 each, the total cost of mailing the vouchers would be \$800,000. They also indicate that additional software enhancements to the existing NH Campaign Finance System database would be necessary to accommodate the provisions in this bill. The system would be programmed to place the name of the voter on each voucher that is issued along with a voter ID number, generate the mailing list and keep track of the voucher activity. However, the cost of software programming changes to comply with the provisions of this bill, at this point, are indeterminable.

This bill contains penalties that may have an impact on the New Hampshire judicial and correctional systems. There is no method to determine how many charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on expenditures. However, the entities impacted have provided the potential costs associated with these penalties below.

Judicial Council	FY 2022	FY 2023
Public Defender Program	Has contract with State to provide services.	Has contract with State to provide services.
Contract Attorney – Felony	\$825/Case	\$825/Case
Contract Attorney – Misdemeanor	\$300/Case	\$300/Case
Assigned Counsel – Felony	\$60/Hour up to \$4,100	\$60/Hour up to \$4,100
Assigned Counsel – Misdemeanor	\$60/Hour up to \$1,400	\$60/Hour up to \$1,400
It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. Historically, approximately 85% of the indigent defense caseload has been handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%). Beginning in March of 2021, the public defender program has had to close intake to new cases due to excessive caseloads. Due to these closures, the contract and assigned counsel program have had to absorb significantly more cases. The system is experiencing significant delays in appointing counsel and the costs of representation have increased due to travel time and multiple appointments.		
Department of Corrections	FY 2022	FY 2023
FY 2021 Average Cost of Incarcerating an Individual	\$54,386	\$54,386
FY 2021 Annual Marginal Cost of a General Population Inmate	\$5,715	\$5,715
FY 2021 Average Cost of Supervising an Individual on Parole/Probation	\$603	\$603
NH Association of Counties	FY 2022	FY 2023
County Prosecution Costs	Indeterminable	Indeterminable
Estimated Average Daily Cost of Incarcerating an Individual	\$105 to \$125	\$105 to \$125

This bill contains penalties that will have an indeterminable impact on the Judicial Branch system. There is no method to determine how many charges would be brought as a result of the changes contained in this bill to determine the fiscal impact on expenditures. In the past the Judicial Branch has used averaged caseload data based on time studies to estimate the fiscal impact of proposed legislation. The per case data on costs for routine criminal cases currently available to the Judicial Branch are based on studies of judicial and clerical weighted caseload times for processing average routine criminal cases that are more than fifteen years old so the

data does not have current validity. A new case study is being conducted and updated estimates will be available in the future.

Many offenses are prosecuted by local and county prosecutors. When the Department of Justice has investigative and prosecutorial responsibility or is involved in an appeal, the Department may be able to absorb the cost within its existing budget. However, if the Department needs to prosecute significantly more cases or handle more appeals, then costs will increase by an indeterminable amount.

AGENCIES CONTACTED:

Department of State, Judicial Branch, Departments of Corrections and Justice, Judicial Council, and New Hampshire Association of Counties