



North Dakota House of Representatives

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Representative Brandon Prichard

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COMMITTEES:

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House Bill 1529 Senate State and Local Government Committee Senator Roers, Chairman March 17, 2023

Chairman Roers and members of the Senate State and Local Government Committee,

My name is Rep. Brandon Prichard and I represent District 8 which covers all of Emmons County, rural and suburban portions of Burleigh County, and Wilton which is in McLean County. I am here to testify in support HB 1529 which attempts to study Title 16.1 of Century Code and determine the best course of action to require new disclosure requirements for candidates, political committees, and political parties (filers) that are subject to NDCC §§ 16.1-08.1-02.3 and 16.1-08.1-02.4. After discussions with the Secretary of State's Office and Legislative Council, I believe a deep look into Chapter 16.1 could close loopholes and clean up language and inconsistencies. The study would also attempt to make reporting requirements as standardized as possible, with the understanding that different political entities have unique factors that merit a different reporting requirement. The aim of this bill is to increase campaign finance transparency which will benefit voters and candidates alike.

While I am in full support of a study, I am disappointed with the decision of the House Political Subdivisions Committee to overlook the work the Secretary of State's Office and myself put into making a deal where a study could clean up the code while also putting in the current code a workable requirement for expenditure transparency. Originally, the bill attempted to align transparency requirements for all candidates, political committees, and political entities with the requirements of political spenders like independent expenditure filers. This is to say that when a filer makes an expenditure in support of or opposition to a candidate, the filer making the expenditure must disclose the expenditure on the next campaign statement submitted.

I would like to explain the amendment to HB 1529 I attached in my testimony.

In **Section 1**, the bill would rename the contributions expenditure category to "Direct Campaign Contributions."

Section 2 adds the following reporting requirement for candidates, candidate committees, multi-candidate committees, and non-statewide political parties:

1. The name of the candidate, political committee, or ballot measure the expenditure was intended to support or oppose,
2. The total amount of the expenditure,
3. The date the last expenditure was made, and
4. Whether the expenditure was made in support of or in opposition to the candidate, political committee, or ballot measure.

The dollar value thresholds and reporting timelines remain the same

Section 3 adds to political action committees and ballot measure committees, the requirements to report:

1. The name of each candidate, political committee, or ballot measures the expenditure was intended to support or oppose, and
2. Whether the expenditure was made in support of or in opposition to the candidate, political committee, or ballot measure.

Again, the dollar value thresholds and reporting timelines remain the same.

Section 4 splits statewide political parties reporting requirements into a separate section of the Century Code while leaving the reporting requirements the same.

Section 5 requires any corporation, cooperative corporation, limited liability company, affiliate, subsidiary, or association to follow the same guidelines as filers in section 2.

Section 6 requires federal political filers to follow the same guidelines as filers in section 2.

Section 7 is the current form of the bill. It would study the best way to make Chapter 16.1 of Century Code uniform while standardizing requirements.

Section 8 would provide a \$40,000 appropriation to the Secretary of State Office to execute the directives of HB 1529.

To encourage transparency in the election process, I encourage the Senate State and Local Government Committee to amend HB 1529 to its intended form and render a “Do Pass” recommendation.

Current Campaign Finance Disclosure Requirements

There are two major sets of requirements under current law for the various filer types in the system called North Dakota Campaign Finance Online (ND CFO):

NDCC § 16.1-08.1-02.3

- Applies to the following filers:
 - Candidates and candidate committees
 - Multicandidate committees (both for statewide candidates and non-specified)
 - Legislative district political parties
- Requires the disclosure of:
 - Contributions from a contributor totaling more than \$200 in a reporting period:
 - Contributor's name and mailing address
 - Total of contribution(s)
 - Date of last contribution received
 - Total of all contributions from contributors giving less than \$200 in a reporting period:
 - Statewide candidates and statewide multi candidate committees only: the balance of campaign fund at the beginning and end of reporting period
 - Total contributions from a contributor greater than \$500 in the 39 days before an election
 - Contributor's name and mailing address
 - Total received from a contributor during the 39 days that is greater than \$500
 - Date of last contribution received
 - Year-end statement only, totals of expenditures in the following categories:
 - Advertising
 - Campaign loan repayment
 - Operations
 - Travel
 - Miscellaneous
 - Except for judicial, county, and city candidates – Contributions greater than \$5,000:
 - Contributor's occupation
 - Employer
 - Employer's principal place of business
- Reporting periods for disclosure statements:
 - Pre- Primary – January 1 – 40 days before election when on or supporting candidates on ballot
 - Pre-General – January 1 – 40 days before election when on or supporting candidates on ballot
 - 48-Hour – within 48 hours of receiving contribution greater than \$500 in the 39 days before election
 - Year-End – January 1 - December 31

NDCC § 16.1-08.1-02.4

- Applies to:
 - State political parties
 - Political action committees
 - Measure committees
- All the same requirements listed above except for:
 - Disclosing expenditures on every statement greater than \$200:
 - Recipient name and mailing address
 - Total of expenditure(s) made to recipient in reporting period
 - Date of last expenditure
 - Total of all expenditures less than \$200 during the reporting period
 - No year-end totals for expenditure categories
 - For measure committees, contribution and expenditure reporting threshold is \$100

North Dakota Rural Voters

Independent Expenditure Filer

Registration Date: 10/3/2022
Reporting Year: 2022

Type Independent Expenditure Filer

Organization Information

Organization Name North Dakota Rural Voters
Organization Acronym NDRV
Organization Telephone (406) 869-1926
Organization Email info@ndruralvoters.org
Organization Address PO Box 725
Bismarck, ND 58502

Contact Information

Contact Name Curtis Stofferahn
Contact Title Chair
Contact Telephone (406) 869-1926
Contact Email info@ndruralvoters.org
Contact Address PO Box 725
Bismarck, ND 58502

Independent Expenditures

Date Filed	Statement total of IE made	YTD total of IE made	
10/13/22	10/13/22	\$37,579.20	\$37,579.20


Selected Statement Details

[Export Statement](#)

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Date Filed	Statement total of IE made	YTD total of IE made
10/13/22	\$37,579.20	\$37,579.20

Expenditures

 Indicates an amended transaction. Click to view the original transaction.

Name	Address	Date	Amount	Stance	Measure/Petition Name	Date on Ballot	Supports or Opposes - Candidate, Political Party or Political Committee	Amended Date
KMHA Radio 91.3	601 Lodge Road New Town, ND 58763	10/12/22	\$3,910.00	No - Not Related to a Measure			Supports Lisa Finley-DeVille	
MHA Times	601 Lodge Road New Town, ND 58763	10/03/22	\$676.00	No - Not Related to a Measure			Supports Lisa Finley-DeVille	
New Town News	PO Box 730 New Town, ND 58763	10/03/22	\$1,600.00	No - Not Related to a Measure			Supports Lisa Finley-DeVille	
Petel & Co.	1209 Fairmont Street NW Washington DC, ND 20009	10/10/22	\$6,350.76	No - Not Related to a Measure			Supports Lisa Finley-DeVille	
Petel & Co.	1209 Fairmont Street NW Washington DC, DC 20009	10/10/22	\$12,253.92	No - Not Related to a Measure			Supports Kathy Hogan	
Petel & Co.	1209 Fairmont Street NW Washington DC, DC 20009	10/10/22	\$12,788.52	No - Not Related to a Measure			Supports Ruth Buffalo & Sorja Kaye	