


# ANNUAL REPORT 2018

[www.elec.nj.gov](http://www.elec.nj.gov)

April, 2019



**NEW JERSEY  
ELECTION LAW ENFORCEMENT COMMISSION**

 (609) 292-8700



## COMMISSIONERS & SENIOR STAFF

# WELCOME

FROM THE  
ELECTION LAW ENFORCEMENT COMMISSION



Clockwise: Chairman Eric Jaso, Commissioner Stephen Holden, Executive Director Jeff Brindle, Deputy Director Joseph Donohue, Director of Review and Investigation Shreve Marshall, Compliance Director Stephanie Olivo, Deputy Legal Director Amanda Haines, Legal Director Demery Roberts, Legal Counsel Edwin Matthews, and Commissioner Marguerite Simon.



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### MISSION STATEMENT

The essence of Democracy is an informed electorate. It is the fulfillment of this goal that the New Jersey Election Law Enforcement Commission (ELEC) embraces as its valued mission.

Established in 1973, ELEC monitors the campaign financing of all elections in the State. Whether the election is for Governor or Mayor, member of the Legislature or a City Council, candidates and campaign organizations are required to file with the Commission contribution and expenditure reports.

The Commission also administers the law requiring candidates for the Governorship and Legislature to make public their personal finances prior to election day. Moreover, ELEC administers those sections of the law, which establish a filing obligation on the part of lobbyists and their clients. Finally, ELEC is responsible for enforcing various aspects of the Pay-to-Play law, particularly as it pertains to disclosure.

In addition, the Commission is responsible for administering partial public financing of gubernatorial primary and general elections, for rule making, and, as part of its regulatory duties, for holding public hearings. Finally, ELEC exercises its enforcement authority, ensuring the integrity of the financial aspects of the State's electoral process.

A major part of New Jersey's system of elections, the Election Law Enforcement Commission has upheld a tradition of fair, but energetic, administration of the State's financial disclosure laws. That tradition is strong today and will remain so in the future.

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## THE COMMISSION

### **Eric Hector Jaso, Chairman**

The state Senate on March 13, 2017 unanimously confirmed the nomination of Eric H. Jaso of Morristown to the New Jersey Election Law Enforcement Commission (ELEC).

Jaso, a Republican attorney, was nominated on September 8, 2016 by Governor Chris Christie.

Jaso also serves as a public member of the New Jersey Urban Enterprise Zone Authority.

In 2011, he was chosen by Republicans to serve on the commission that redrew the boundaries of New Jersey's U.S. House Districts.

Jaso has taught appellate advocacy as an Adjunct Professor at Seton Hall Law School.

He earned his law degree at the University of Chicago. He received his bachelor's degree in Government with honors from Harvard.

His professional memberships include: Hispanic Bar Association of New Jersey; National Hispanic Bar Association; Federalist Society; and Association of the Federal Bar of the District of New Jersey.

Jaso lives with his wife and son in Morristown, New Jersey.



Commissioner Marguerite Simon, Chairman Eric Jaso, and Commissioner Stephen Holden

Jaso is a partner at the law firm of Spiro Harrison in Short Hills. His practice focuses on complex litigation matters, including civil and criminal cases, primarily in the Federal courts.

From 2003 to 2008, Jaso served as an Assistant U.S. Attorney in the U.S. Attorney's Office in New Jersey. Prior to that, he served as counselor to the Assistant Attorney General of the Criminal Division at the U.S. Department of Justice in Washington, D.C.

Previous government appointments included serving as Deputy General Counsel at the U.S. Department of Education, working as Deputy Special Counsel to the New Jersey Senate Judiciary Committee investigating racial profiling, and serving as Associate Independent Counsel during the "Whitewater" investigation of former President Bill Clinton.



## THE COMMISSION continued

### Stephen M. Holden, Commissioner

The state Senate on March 13, 2017 unanimously confirmed the nomination of Stephen Michael Holden of Merchantville to the New Jersey Election Law Enforcement Commission (ELEC).

Holden, a Democratic attorney, was nominated December 12, 2016 by Governor Chris Christie.

Holden is Deputy General Counsel of the Delaware River Port Authority. He retired as a Superior Court judge upon reaching mandatory retirement age of 70 in 2013 though he later performed temporary service as a recall judge.

Between 1987 and 2003, during a period when he was a solo practitioner, he served as Counsel to the state Senate as well as Senate Parliamentarian.

During an earlier career as an educator, he was a teacher in the Philadelphia school system, an assistant professor at both Glassboro State College (now Rowan University), and Rutgers University, as well as an assistant dean and assistant professor at Bryn Mawr College.

Holden earned his law degree at Rutgers University Night School of Law. He obtained Ph.D. and M.S.S. degrees at Bryn Mawr College, and a B.S. degree with honors at Temple University.

He sits on the Audit, Ethics and Compliance committee of the Board of Directors of Cooper Health System. He also sits on the board of Bryn Mawr College Graduate School of Social Work and Social Research.

Holden is married with two daughters- one a public-school arts teacher, the other a nurse.

### Marguerite T. Simon, Commissioner

Marguerite T. Simon became the 32<sup>nd</sup> person appointed to the New Jersey Election Law Enforcement Commission since its creation in 1973 when the State Senate on June 29, 2017 unanimously approved her nomination.



From left: Legal Counsel Edwin Matthews, Commissioner Marguerite Simon, Chairman Eric Jaso, Commissioner Stephen Holden, and Executive Director Jeff Brindle

She replaces Lawrence Weiss, who died while serving on the commission in 2011. Simon is a Democratic attorney who was nominated February 27, 2017 by Governor Chris Christie.

Simon serves as counsel to the firm of Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins PC of Springfield and Englewood Cliffs. Her practice is primarily concentrated in alternate dispute resolution. She serves as a mediator and arbitrator in private party and court appointed matters.

She also served as a state Superior Court Judge in Hackensack from 1984 until her retirement in 2004 when she was Presiding Judge of General Equity.



## THE COMMISSION continued

She has taught classes and seminars at the New Jersey Judicial College, Institute for Continuing Legal Education, and Bergen Community College.

Among her awards are Super Lawyer, New Jersey, Alternative Dispute Resolution, 2010 to present; and Professional Lawyer of the Year, New Jersey Bar State Bar Association and Bergen County Bar Association, both 2006.

Simon obtained her law degree from the University of Virginia School of Law in 1961. She received her undergraduate degree from Barnard College in 1958.

Her professional affiliations include: Bergen County Bar Association, New Jersey State Bar Association and Women Lawyers in Bergen County.

She is married to Donald Howard. Together they have four children and ten grandchildren. She lives in Edgewater and Cape May.



Commissioner Marguerite Simon, Chairman Eric Jaso, and Commissioner Steven Holden

### **Jeffrey M. Brindle, Executive Director**

Jeffrey M. Brindle's experience as a regulator, as well as in various governmental and electoral capacities, allows him to bring a rare and broad-ranging perspective to the position of Executive Director.

Executive Director Brindle has authored 20 in-depth, analytical white paper reports on campaign financing and lobbying, many of which had a major influence on legislation. He also has published more than 140 articles in newspapers, magazines, and periodicals, including "Campaigns and Elections," "The New York Times," "Politickernj.com," "InsiderNJ.com," "NewJersey Newsroom.com," Public Integrity, "The Star-Ledger," "League of Municipalities Magazine," and "Spotlight."

As Executive Director, Brindle has worked to reduce the backlog of outstanding enforcement cases and speed up enforcement efforts.

He started the ELEC-Tronic newsletter in 2009 to help expand the agency's public profile, and has been a major contributor to the 118 issues that have appeared through April 2019.

Brindle has taken several initiatives to enhance ELEC's basic mission of disclosure. He instituted a database of local political contributions, making New Jersey one of the few states in the nation that provides access to such information. He greatly expanded the number of analytical press releases published on a regular basis by the agency. He also saw to it that more than 400 press releases prepared between 1983 and 2005 were made accessible on the ELEC website.

Annual reports, minutes and advisory opinions dating back to the agency's creation in 1973 also have been made available to the public through the agency's website, which, in 2010, was recognized as "Best Official New Jersey Website" by the Documents Association of New Jersey.

As Deputy Director, Brindle authored the report on the Clean Elections Pilot Program, prepared several Cost Analysis Reports, and wrote a major report on the Commission's technological needs.



## THE COMMISSION continued

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He also oversaw budgetary and personnel planning and development, participated in public policy development, and engaged in legislative and press relations. He also guided the Commission's transformation from a manual-based operation to a technological-based one; an effort begun in the 1990's.

The Executive Director managed governmental offices at various levels and branches of government and brings experience in electoral politics to the position. His academic credentials include a B.A. degree from Rutgers, The State University of New Jersey and an M.A. degree in political science from Villanova University. He is also affiliated with the College of New Jersey (TCNJ) as an adjunct professor in the Political Science Department.

Prior to coming to ELEC in 1985, Brindle had been the Director of the Public Information Office at the State Department of Community Affairs, a Legislative Staff Director, Somerset County Deputy County Clerk, New Brunswick Public Information and Complaints Director, and Executive Director of the Union County Chapter of the March of Dimes.

He has also been a candidate for Assembly and a Municipal Chairman. Brindle and his wife Karen have four children.

### **Edwin R. Matthews, Legal Counsel**

Edwin R. Matthews was selected to be the Commission's Legal Counsel and began serving in that capacity in November, 2012.

Mr. Matthews is a partner with the Summit, New Jersey law firm of Bourne, Noll & Kenyon. He specializes in the areas of civil litigation, municipal law, appellate practice, personal injury, products liability, and tax appeals.

Upon graduation from Law School, Mr. Matthews served as a Law Clerk for Associate Justice Mark A. Sullivan of the New Jersey State Supreme Court and as an Assistant United States Attorney for the District of New Jersey. He was twice recognized by the United States Attorney General for Sustained Superior Performance. Mr. Matthews has in the past served the

Township of South Orange Village, as a member of its governing body, as its Municipal Court Judge, and as its Village Counsel.

Mr. Matthews, a Certified Civil Trial Attorney, is admitted in the State of New Jersey; United States District Courts for the District of New Jersey, the Southern District of New York, and the Eastern District of New York; United States Courts of Appeals for the Third Circuit and Second Circuit; the United States Supreme Court; and the State of New York. He has been designated Mediator for the United States District Court for the District of New Jersey as well as the New Jersey State Court Mediation Program. He has served as an Arbitrator for the Federal Court in New Jersey as well as a number of counties in the state court system. He served as a Member of the Committee on Character, appointed by the New Jersey Supreme Court (1993-2009.) His membership in a number of bar associations includes serving as a member of the Board of Trustees of the Trial Attorneys of New Jersey since 1986 and as its President from 2004 to 2005.

Mr. Matthews has lectured frequently at seminars on trial tactics, product liability, the Rules of Procedure and the Rules of Evidence. He is a Master of the Worrall F. Mountain Inn of Court and has been an adjunct faculty member of the School of Law and a Master of the Inn of Court at Seton Hall University School of Law.

Mr. Matthews served in the United States Marine Corps where he attained the rank of Captain. He was awarded the Bronze Star Medal with Combat V, Navy Commendation Medal with Combat V, two Purple Heart Medals, Combat Action Ribbon, and the New Jersey Distinguished Service Medal for service in Vietnam. Mr. Matthews has been recognized as a New Jersey Super Lawyer in the editions for 2009 through 2018. The New Jersey Commission on Professionalism presented him with its Professionalism Award in 2010.

Mr. Matthews received an A.B. degree from the College of the Holy Cross and J.D. degree from Seton Hall University School of Law.



## MESSAGE FROM THE CHAIRMAN

By statute, the New Jersey Election Law Enforcement Commission (ELEC) comprises four members, all of whom are nominated by the Governor and confirmed by the State Senate. No more than two members may be of the same political party.

The Commission lacked sufficient members to form a quorum in 2016 and was unable to function. Three members have since been nominated and confirmed, but ELEC still lacks a fourth member in 2018. Nevertheless, the Commission has continued to pursue its core mission of ensuring transparency and accountability in campaign finance and lobbying enthusiastically and effectively.

Seating a fourth member would avoid complications when a Commission member is unavailable or needs to recuse himself or herself from an enforcement matter.

One of ELEC's most important accomplishments in 2018 was to complete implementation of electronic filing of all campaign finance and lobbying reports. Now candidates, committees, parties, lobbyists, and contractors can submit reports to ELEC by electronic means, and this in turn enables the Commission to quickly and efficiently make public the reported information.

The modernization of its computer system has built upon the Commission's reputation for responsiveness to the public, the press, and the filing community. It has substantially furthered the Commission's goal of being the most transparent agency in State government.

While ELEC has modernized its technology, what remains unchanged is the individualized service the Commission's staff provides to candidates, treasurers, and other interested parties.

For example, the Commission's Compliance staff, which regularly interacts with and provides guidance to

people and organizations required to submit reports to ELEC, has resulted in a compliance rate among filers of over 90 percent.

This high compliance rate also results from ELEC staff's training programs and services. In 2019, ELEC will be supplementing these efforts with a new program to hold training sessions offsite in libraries throughout the State.

Last year, the Commission provided an array of information involving campaign finance, lobbying, and "pay-to-play" to the public. In 2019, ELEC will continue and broaden these services with the introduction of electronically filing for parties and PACs.

ELEC continues to support its mission of transparency by bolstering its investigation and enforcement components. The Commission's Investigative and Legal staffs identify and aggressively pursue enforcement actions against alleged violators of the laws within ELEC's jurisdiction. The Commission has also taken action to increase the timeliness and efficiency of its investigations, and to ensure that penalties imposed are sufficient not only to punish violators but deter future misconduct and encourage compliance.

Throughout recent years, the Commission has successfully bolstered its public profile, including its longstanding status as an example for other states' campaign finance agencies to follow. Analytical press releases, newsletters, and publications in online news sites have helped to maintain the Commission's excellent reputation. These efforts will continue in 2019.

As Chairman I proudly submit the Commission's Annual Report to the Legislature, and look forward to another year working with my fellow Commissioners and ELEC's outstanding and professional staff to further the Legislature's goals of ensuring transparency and accountability in New Jersey's campaign finance and lobbying.



*Eric H. Jaso, Chairman*



## EXECUTIVE DIRECTOR'S REMARKS

In November's congressional election, \$49 million was spent by independent groups in New Jersey. A year ago, \$47.5 million was spent by these groups to influence the outcome of the State's legislative elections.

Therefore, it has become a priority to encourage the Legislature and Governor to enact legislation designed to offset these groups and bring back balance to New Jersey's electoral system.

This can be accomplished by enacting legislation that strengthens political parties and reforms pay-to-play. S-1500 Singleton (companion A-1524 Zwicker) and S-1479 Singleton (companion A-3462 Zwicker) do just that.

These bills contain recommendations made by the Commission. They remove parties from pay-to-play while placing special interest PACs within the law. They simplify pay-to-play by establishing one state law and enhancing disclosure. Among other numerous provisions they increase contribution limits and allow parties to participate in gubernatorial elections.

If adopted those measures would greatly improve New Jersey's electoral system by boosting accountable parties and candidates while lessening the influence of special interest independent groups.

Thus, working toward enactment of these reforms will be important in 2019. Pushing for landmark legislation that would improve the State's elections will not be all the Commission works toward in 2019.

As in 2018, efforts to modernize ELEC's computer system will continue along with attempts to enhance compliance with its wide body of laws under its jurisdiction. From plans to broaden training by holding

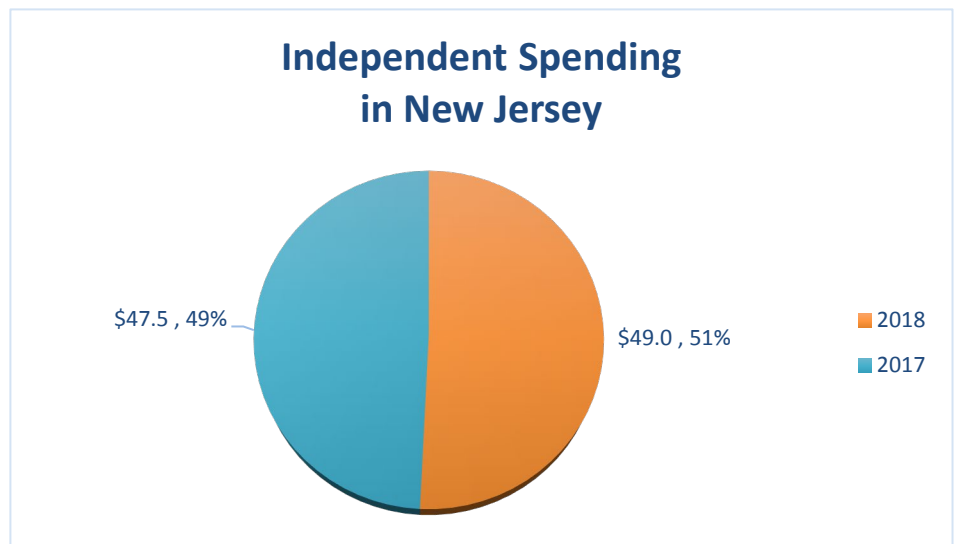
seminars offsite in libraries throughout the State to enforcing the campaign finance, lobbying, and pay-to-play laws, ELEC's mission of disclosure will be vigorously pursued.

The accomplishments of 2018 along with plans for 2019 will be summarized in the forthcoming pages that will describe the activities in each one of our sections.

With this in mind, it is important to emphasize that service to the public is over and above all other responsibilities of the Commission. Staff at ELEC will continue to provide the public, media, and filing community with the attention they deserve and are entitled to.



*Jeffrey M. Brindle, Executive Director*





## EDUCATIONAL OUTREACH

ELEC historically has been an agency that takes pride in its public service efforts. ELEC staff stands ready to help candidates, treasurers, election-related committees, lobbyists and public contractors understand and fulfill their reporting obligations. Educational outreach is another important part of that effort. ELEC’s compliance staff under director Stephanie Olivo regularly has seminars for treasurers and others around the state and annually operates a booth at the New Jersey State League of Municipalities conference in Atlantic City. Executive Director Jeff Brindle has held regular meetings with members of the Governor’s office, legislative leaders and staff, and agencies that interact with ELEC, including the Attorney General’s Office, the state Comptroller’s Office, and the Department of Labor. He also has interacted with or appeared as a speaker before many groups including the New Jersey State League of Municipalities, Represent Us, Somerset County Federation of Republican Women, the League of Women Voters, the Center for Government Services at Rutgers University and the Constitutional Officers Association of New Jersey. Brindle has appeared on NJTV, News 12, Fox News, and WABC-TV. Deputy Director Joe Donohue was a speaker at the National Institute on Money in Politics Conference in Montana and represented ELEC at the recent Council on Government Ethics Laws (COGEL) conference in Philadelphia.



Executive Director Jeff Brindle  
League of Women Voters Annual Meeting  
*The Challenge of Campaign Financing  
Regulations in the 21<sup>st</sup> Century*



Deputy Director Joe Donohue  
Montana Conference – May 2018



Compliance Booth at the  
103<sup>rd</sup> NJLM Conference in A.C.

### INDEPENDENT EXPENDITURES- ELEC’S BIGGEST CHALLENGE

| Year   | 2005          | 2017          | Change-% |
|--|---------------|---------------|----------|
| Gubernatorial Candidates                               | \$ 87,724,988 | \$ 54,328,897 | -38%     |
| Legislative Candidates                                 | \$ 33,328,310 | \$ 62,648,117 | 88%      |
| Two State Parties and Four Legislative Leadership PACs | \$ 19,667,905 | \$ 13,348,131 | -32%     |
| Counties   | \$ 19,008,467 | \$ 14,059,504 | -26%     |
| Subtotal- Traditional Committees                       | \$159,730,670 | \$144,379,649 | -10%     |
| Independent Committees                                 | \$ 411,224    | \$ 47,530,869 | 11,458%  |
| Grand Total  | \$160,141,894 | \$191,910,518 | 20%      |
| % Independent Committees                               | 0.3%          | 24.8%         |          |

Slide presentation introduced at the Montana Conference



## EDUCATIONAL OUTREACH continued

In 2018, the Election Law Enforcement Commission published a white paper, an annual report, compliance manuals, columns, and newsletters. The goal of these publications is to provide information and to assist the public with important information in the areas of campaign finance, gubernatorial public financing, lobbying, and pay-to-play. To access these publications, please visit, [www.elec.nj.gov/aboutelec/pubs.htm](http://www.elec.nj.gov/aboutelec/pubs.htm).

**ELECtronic**  
An Election Law Enforcement Commission Newsletter **ISSUE 110 • AUGUST 2018**

**Comments from the Chairman**  
**Eric H. Jaso**

"The essence of Democracy is an informed electorate. It is the fulfillment of this goal that the New Jersey Election Law Enforcement Commission (ELEC) embraces as its valued mission."

The Commission's Mission Statement starts with that declaration, and it underpins everything we do.

ELEC's fulfillment of that commitment depends upon the vigorous enforcement of New Jersey's campaign finance laws, from minor provisions to the most major requirements and prohibitions.

One of those "fine print" yet vital provisions is the disclaimer law.

Whenever a candidate or joint candidates' committee expends money for an advertisement designed to promote or defeat a candidate, a political identification statement must be attached to the communication.

In other words, if a candidate purchases a radio spot which promotes his or her candidacy, the ad must contain language identifying the name, business or residence address of the committee, person or group sponsoring the ad and a "paid for by" disclaimer.

This "paid for by" provision applies to all broadcast (including online) and print-media advertising. It also applies to telemarketing efforts, i.e. robo-calls.

So, any time a campaign sends out direct mail, places an ad in a newspaper or online publication, advertises on TV or radio, or even prints campaign signs, a disclaimer is required.

This requirement not only applies to candidates but to political parties, legislative leadership committees, PACs, political committees, and individuals making independent expenditures.

While the main thrust of the law deals with candidate committees, the political identification requirements also apply to spending to pass or defeat a public question. Again, any committee, or political party spending money on

advertising in support or opposition to public referenda must provide a clear identifying statement.

The disclaimer law promotes transparency in government and in elections by informing New Jersey voters what individuals or groups are funding state and local political campaigns.

In a sense, the public serves as the eyes and ears of ELEC, assuring that candidates and committees comply with the disclaimer law.

Every year, citizens file numerous complaints alleging violations of the political identification requirement, enabling ELEC to investigate and, where warranted, sanction offenders.

We at the Commission urge all participants in the electoral process to be aware of this requirement and comply with it.

It's a small step that goes a long way toward engendering trust in our elections, our government, and ultimately, our democracy.

**"Furthering the Interest of an Informed Citizenry"**

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**COMMISSIONERS:**

Eric H. Jaso, Chairman  
Stephen M. Holden, Commissioner  
Marguerite T. Simon, Commissioner  
Edwin R. Matthews, Legal Counsel

**WHITE PAPER NO. 27**

**LEGISLATIVE ELECTION 2015: BIG INDEPENDENT SPENDING, BIG ASSEMBLY SHAKEUP**

The New Jersey Election Law Enforcement Commission  
P.O. Box 185, Trenton, NJ 08625  
April, 2018

**ELEC: Top 25 Special Interest Groups Spent Over \$74 Million in 2017**  
By Jeff Brindle | September 12, 2018, 10:03 am | in [News](http://News.INSIDERNJ.COM)  
[www.insidernj.com](http://www.insidernj.com)

The top 25 special interest groups in 2017 spent more than \$74 million trying to influence elections and government policy in New Jersey, according to a new analysis by the New Jersey Election Law Enforcement Commission (ELEC).

**2018 INSIDER 100 POLICYMAKERS**

**23 JEFF BRINDLE**

The executive director of the state Election Law Enforcement Commission (ELEC)—and professor at the College of New Jersey—is among a handful of real time experts on campaigns and elections law.

## LEGISLATIVE REVIEW & RECOMMENDATIONS

### AS INDEPENDENT SPENDING TOPS \$210 MILLION OVER 15 YEARS, NEW JERSEY IS POISED TO REQUIRE MORE DISCLOSURE

During the past 15 years, independent spending by special interest groups soared past \$210 million in



*Joseph W. Donohue, Deputy Director*

federal and state elections in New Jersey. More than 80 percent this spending- \$170 million- has occurred just in the past seven years.

For federal races, it is up to Congress to decide whether these increasingly powerful groups, which often hide the source of their funds, abide by the same disclosure standards

as candidates, parties and traditional political action committees (PACs).

In the meantime, the state Legislature in New Jersey has passed legislation that would greatly expand public reporting requirements for independent spenders who take part in state, county and local elections. More than \$117 million of the independent spending – 55 percent- has occurred in state elections since 2005.

It seems logical that if candidates, parties and special interest PACs have managed to survive in the sunshine, groups spending independently can too.

The New Jersey Election Law Enforcement Commission (ELEC) first recommended broader public reporting requirements for independent groups in 2010. The recommendation was bipartisan.

After many consultations with ELEC staff, both parties introduced legislation adopting ELEC's core recommendations. At this writing, a bill (S-1500/A-1524) had been passed

The legislation was introduced in the Senate by Senator Troy Singleton (D-7<sup>th</sup>) and in the Assembly by

Assemblyman Andrew Zwicker (D-16<sup>th</sup>) with members of both parties serving as co-sponsors.

After unanimous Senate committee approval, the full Senate on January 31, 2019 adopted the bill 31-0. The Assembly approved a revised bill 60-1 on March 25, 2019. That same day, the Senate tinkered with it again and approved another version 33-0. This final version was sent by the Assembly to the governor via a 66-2 margin.

The bill would increase public disclosure by independent groups in both elections and lobbying.

Current New Jersey law requires independent groups to disclose only their expenditures and only if they engage in activities directly aimed at electing or defeating a candidate.

ELEC has recommended that these groups disclose contributions as well as expenses if they engage in so-called “express advocacy.”

In addition, the bill adopts another ELEC recommendation that requires similar reporting by groups that run “electioneering” advertisements- issue-oriented ads that are clearly election-related but do not directly ask voters to elect or defeat a candidate.

While some groups have voluntarily disclosed their contributions in recent elections, enactment of the bill would lead to fuller disclosure by 527 political organizations, Super PACs and 501c4 social welfare non-profit groups if they become involved in state, county or local races.

Legislators added a provision that requires the same groups to disclose contributions if they engage in grassroots lobbying that involves regulations or legislation. Current law requires groups engaged in grassroots advocacy to disclose only contributions given with the specific intent of communicating with the public. Such disclosure is rare.

Governor Murphy has until May 8, 2019, or 45 days after the final legislative vote, to approve, veto or modify the legislation. If approved, it would take effect for the fall general election.



## LEGISLATIVE REVIEW & RECOMMENDATIONS continued

### Independent Spending in Federal and State Elections- 2004-2018\*

| Year          | Federal             | State                | Totals               |
|---------------|---------------------|----------------------|----------------------|
| 2004          | \$ 105,810          |                      | \$ 105,810           |
| 2005          |                     | \$ 411,224           | \$ 411,224           |
| 2006          | \$13,434,260        |                      | \$ 13,434,260        |
| 2007          |                     | \$ 165,000           | \$ 165,000           |
| 2008          | \$ 7,750,315        |                      | \$ 7,750,315         |
| 2009          |                     | \$ 14,096,167        | \$ 14,096,167        |
| 2010          | \$ 2,662,208        |                      | \$ 2,662,208         |
| 2011          |                     | \$ 1,835,500         | \$ 1,835,500         |
| 2012          | \$ 3,330,688        | \$ 299,049           | \$ 3,629,737         |
| 2013          | \$ 2,831,793        | \$ 38,828,738        | \$ 41,660,531        |
| 2014          | \$ 6,746,661        |                      | \$ 6,746,661         |
| 2015          |                     | \$ 11,836,544        | \$ 11,836,544        |
| 2016          | \$ 7,095,000        |                      | \$ 7,095,000         |
| 2017          |                     | \$ 49,717,419        | \$ 49,717,419        |
| 2018          | \$49,065,866        |                      | \$ 49,065,866        |
| <b>Totals</b> | <b>\$93,022,601</b> | <b>\$117,189,641</b> | <b>\$210,212,242</b> |

\*ELEC has jurisdiction only over spending in state and local elections.

of government. For instance, dozens of New Jersey municipalities enacted bans on recreational marijuana in 2018 but no one knows who lobbied them. Also seek statutory authority to require lobbyists to provide more details on their quarterly reports when they lobby on substantive matters on their quarterly reports. This might include date and location of meeting, name and title of official or officials who took part in the meeting, and the specific reason for the meeting.

**Simplifying and standardizing “pay-to-play” laws by having just one law that applies to state, county and municipal contractors, ending the “fair and open” loophole, lowering from \$50,000 to \$17,500 the threshold for annual disclosure by contractors, raising from \$300 to \$1,000 the amount contractors can contribute, and including special interest PACs under the law. Contributions by contractors to independent groups should be disclosed.**

### PRIORITY RECOMMENDATIONS

**Enact legislative changes to strengthen political parties. These include raising contribution limits to adjust for inflation, exempting party entities from pay-to-play contribution limits, allowing state parties to spend directly on gubernatorial elections and ending the ban on party transfers during primaries.**

Potential Benefit: The rapid rise of independent groups has seriously weakened political parties, which are more accountable and transparent because they have long been required to file detailed disclosure and spending reports. Taking steps to shift money away from independent groups to parties should benefit voters by leading to more disclosure, which is one of the simplest, cheapest ways to keep official abuses in check.

**Broaden the governmental activities law to include lobbying of local governmental entities.**

Potential Benefit: Current law requires disclosure by lobbyists who try to influence state officials, but not those who try to influence county or municipal officials. This expansion of disclosure requirements will make the public better aware of influence peddling at local levels

Potential Benefit: A dizzying array of laws and executive orders have created a maze-like system for trying to limit pay-to-play abuses. It creates confusion and difficulty for both the regulated community and regulators along with needless legal costs. Extending the prohibition that applies to state contractors to county and municipal contractors should greatly reduce the “pay-to-play” influence of business entities.



Gianna Melillo, Intern



Steve Kimmelman  
Research Assistant

# LEGISLATIVE REVIEW & RECOMMENDATIONS

## continued



**When candidates spend campaign funds on dinners or other meetings, they must keep detailed records about who attended the event, what was purchased and why they considered the expense “ordinary and necessary.”**

Potential Benefit: More disclosure for the public and less chance that a candidate will misuse campaign funds for personal use.

**Enact legislation authorizing public financing in the event of a special gubernatorial election.**

Potential Benefit: Would ensure that candidates involved in a special election can avail themselves of public financing just like candidates in regular election years.

**Enact legislation that would require any state and local candidates in New Jersey setting up legal defense funds to disclose their contributions and expenditures in reports filed with ELEC.**

Potential Benefit: Closes a gap in current law, which requires no such disclosure.

**Requiring school board candidates to file candidate certified statements (A-1 forms) if they raise no contributions or make no expenditures.**

Potential Benefit: School board candidates are the only candidates except for write-in candidates who are not required to make such a declaration. Given that spending on school elections grew steadily during the past decade, fuller disclosure by candidates seems warranted.

**Expand the 48-hour notice requirement for continuing political committee (PACs) expenditures to require that they file notices for expenditures made to May Municipal, Runoff, School, and Special Elections.**

Potential Benefit: More disclosure, since an increasing amount of money is being spent on local elections.

**Change the filing date for personal financial disclosure statements to improve efficiency.**

Potential Benefit: Personal financial disclosure forms of candidates discourage conflicts of

interest by revealing information about the wealth and assets of those who seek elected office. Providing candidates with more time in which to carefully complete these forms, along with a less confusing due date, will enhance compliance and disclosure with the law.

## **OTHER RECOMMENDATIONS**

### **Cost Savings and Efficiencies.**

- Eliminate the gubernatorial spending qualification threshold.
- Lengthen Commissioner terms to six years from three years and select the Commission Chairman or Chairwoman for a fixed term.

### **Strengthen Campaign Finance, Personal Financial Disclosure and Lobbying Laws.**

- Enact legislation that gives statutory force to Commission prohibition against the use of campaign funds to pay legal bills that arise from criminal allegations.
- Enhance penalties for impermissible use of candidate committee funds.
- Conform the penalty provisions of the Personal Financial Disclosure law to the “New Jersey Campaign Contributions and Expenditures Reporting Act” (Campaign Act).
- Require disclosure of occupation and employer information for contributions from individuals in excess of the \$300 disclosure threshold on reports filed by an Inaugural event committee.
- Increase the penalties for public financing violations to conform to penalties for other Campaign Act violations because the public financing penalty amounts have not been changed since 1974.
- Conform the penalty provisions of the Lobbying Disclosure law to those of the Campaign Act.
- Ban the use of partnership funds for the purpose of making contributions.
- Require that the name given to a candidate’s campaign depository account contain the name of the candidate.
- Require grassroots lobbying materials to list the name and address of the committee that paid for them.



## STATUTORY HISTORY OF ELEC

| LAW   | CREATED/ESTABLISHED   | EFFECTIVE DATE  |
|---|---|---|
| <i>Election Law Enforcement Commission</i>  | P.L. 1973, c.83 (N.J.S.A. 19:44A-1 et seq.)<br>"The New Jersey Campaign Contributions and Expenditures Reporting Act"   | April 24, 1973  |
| <i>Gubernatorial Public Financing Program</i>   | P.L. 1974, c.26 (N.J.S.A. 19:44A-27 et seq.)  | May 6, 1974   |
| <i>Gubernatorial Public Financing Program Extending to Primary Elections</i>  | Signed by Governor Brendan Byrne (Chapter 74)   | July 23, 1980   |
| <i>Personal Financial Disclosure Program</i>  | P.L. 1981, c.129 (N.J.S.A. 19:44B-1 et seq.)  | May 1, 1981   |
| <i>Lobbying Program</i>   | P.L. 1981, c.150 (N.J.S.A. 52:13C-18 et seq.)   | May 22, 1981  |
| <i>Continuing Political Committee Quarterly Reporting</i>   | P.L. 1983, c.579 (amendments to N.J.S.A. 19:44A-1 et seq.)  | January 17, 1984  |
| <i>Lobbying Reform</i>  | P.L. 1991, c.243 (amendments to N.J.S.A. 52:13C-18 et seq.)   | January 1, 1992   |
| <i>Campaign Finance Reform</i>  | P.L. 1993, c.65 (amendments to N.J.S.A. 19:44A-1 et seq.)   | April 7, 1993   |
| <i>Street Money Reform Law</i>  | P.L. 1993, c.370, (codified as N.J.S.A. 19:44A-11.7)  | January 7, 1994   |
| <i>Uniform Recall Election Law</i>  | P.L. 1995, c.105, (codified as N.J.S.A. 19:27A-1 et seq.)   | May 17, 1995  |
| <i>Political Identification Law</i>   | P.L. 1995, c.391, (codified as N.J.S.A. 19:44A-22.2 and 22.3)   | February 1, 1996  |
| <i>Contribution Limit Changes</i>   | P.L. 2001, c.384 (amendments to N.J.S.A. 19:44A-1 et seq.)  | January 8, 2002   |
| <i>Campaign Financing Reform Initiatives</i>  | P.L. 2004, c.19, 21, 22, 28, 29, 30, 31, 32, 33, 123, and 174 (amendments to N.J.S.A. 19:44A-1 et seq.)   | June 16, 2004 through January 1, 2006                                     |
| <i>2005 Clean Elections Pilot Project</i>   | P.L. 2004, c.121  | August 11, 2004   |
| <i>Lobbying Law Expansion</i>   | P.L. 2003, c.255 and P.L. 2004, c.20, 27, 34, 36, 37, and 38 (amendments to N.J.S.A. 52:13C-18 et seq.)   | April 13 through August 16, 2004  |
| <i>Pay-to-Play Contracting Reform</i>   | (amendments to N.J.S.A. 19:44A-1 et seq.).<br>P.L. 2004, c.19 (codified as N.J.S.A. 19:44A-20.3 - 20.12)<br>P.L. 2005, c.51 (codified as N.J.S.A. 19:44A-20.13 - 20.25)<br>P.L. 2005, c.271 (codified as N.J.S.A. 19:44A-20.26 - 20.27) | January 1, 2006<br>October 15, 2004<br>January 1, 2006<br>January 5, 2006 |
| <i>2007 Clean Elections Pilot Project</i>   | P.L. 2007, c.60   | March 28, 2007  |
| <i>Office of Lieutenant Governor</i>  | P.L. 2009, c.66   | June 26, 2009   |
| <i>Solicitation Ban on Public Property</i>  | P.L. 2011 c.204   | January 17, 2012  |
| <i>Eliminates the Requirement of Candidates to File Duplicate Copies of Campaign Treasurer's Reports with County Clerks</i> | P.L. 2014, c.58 and N.J.A.C. 19:25-8.12   | January 1, 2015   |
| <i>Requires Governmental Affairs Agents to Disclose Compensation Received from State or Local Government Entities</i>       | P.L. 2017, c.49 and N.J.A.C. 52:13C-21  | May 1, 2017   |
| <i>Requires Gubernatorial Ballot Statements to be Posted Online</i>   | P.L. 2017, c.177 and N.J.A.C. 19:44A-37   | July 21, 2017   |



## COMPLIANCE DIVISION

The Compliance Division manages compliance programs for all matters within the jurisdiction of the agency. With the primary purpose of assisting the regulated community, staff is available in person and over the phone to provide guidance regarding statutory and regulatory requirements relative to campaign finance,

by candidates, joint candidate committees and political committees, which included candidacies for a few state legislative seats for the general, for local primary and general, school board, fire district, May Municipal and a special municipal election; quarterly reporting relating to candidates, political party committees, legislative

leadership committees and continuing political committees; registration of governmental affairs agents; annual and quarterly lobbying disclosure; registration of professional campaign fundraisers and quarterly fundraising activity; and business entities with contracts with public entities.

Compliance staff aids all regulated groups and individuals by providing direct mail reminders, delinquent and non-filer letters, guidance documents and reference materials for filing requirements and due dates for filing obligations. Upon obtaining the names of candidates, the division is in immediately and constant

contact with those with filing obligations.



Front row: *Kim Key, Gianna Leonardo, and Desiree DeVito.*  
Back row: *Nancy Fitzpatrick, Maite Hopkins, Milene Matos, Daniel Horowitz, Stephanie Olivo, Walter Leavey, Jr., Monica Triplin-Nelson, Carl Skurat, and Titus Kamal.*

lobbying, pay-to-play and the gubernatorial public financing program. Assistance is provided to individuals that are candidates for public office and their treasurers, political committees and continuing political committees, governmental affairs agents and those represented by them and business entities contracting with public entities. The assistance provided culminates with reporting by those regulated for disclosure to the public. Staff also assists the interested public with instruction on the use of the website to search and locate available data and reports, and with Open Public Records requests.

In 2018 compliance staff continued to serve the needs of the regulated community and the public on matters it oversees. These include election cycle reporting

| Election                    | # of Candidates | # of Committees |
|-----------------------------|-----------------|-----------------|
| <b>Fire Commissioner</b>    | 66              | 4               |
| <b>April Schoolboard</b>    | 86              | 12              |
| <b>May Municipal</b>        | 217             | 17              |
| <b>June Runoff</b>          | 16              | 0               |
| <b>Primary</b>              | 1700            | 340             |
| <b>General</b>              | 1922            | 408             |
| <b>November Schoolboard</b> | 2101            | 106             |
| <b>Total</b>                | 6,108           | 887             |



## COMPLIANCE DIVISION continued

| Regulated Group                       | Number | Reports Filed |
|---------------------------------------|--------|---------------|
| <b>Candidates and Committees</b>      | 6,995  | 25,796        |
| <b>Public Contractors</b>             | 2,114  | 2,430         |
| <b>Lobbyists (Avg)</b>                | 922    | 6,576         |
| <b>Professional Fundraisers (Avg)</b> | 23     | 56            |
| <b>Total</b>                          | 10,054 | 34,858        |

### Business Entity Disclosure of Contract and Contributions for 2017 Reported in 2018

| 2,114 Business Entities | Number | Amount           |
|-------------------------|--------|------------------|
| <b>Contracts</b>        | 19,748 | \$10,358,457,940 |
| <b>Contributions</b>    | 8,815  | \$ 10,432,254    |

The reports filed with ELEC are received electronically or are scanned by compliance staff to be viewable by the public on ELEC’s website. Compliance officers review every report to associate the reports to the appropriate filing entity for easy web searching and review for compliance with the applicable law and regulations. Compliance staff creates correspondence upon their report review pointing out corrections that would assist the filer to comply with the applicable rules for proper disclosure.

Compliance staff creates regulatory guidance documents, gives informational seminars, responds to telephone inquiries and assists individuals that appear in-person. Compliance officers will often travel to various locations at the request of particular groups to provide training and information seminars.

| Public Assistance                    |       |
|--------------------------------------|-------|
| <b>Seminars</b>                      | 19    |
| <b>Seminars Participants</b>         | 180   |
| <b>Trained Treasurers</b>            | 207   |
| <b>Telephone Assistance</b>          | 9,521 |
| <b>Public Room Assistance</b>        | 213   |
| <b>Open Public Records Responses</b> | 15    |

Compliance staff continuously attempts to review disclosure reports for assistance with data collection for analytical press releases. It also regularly seeks improvements to forms and ELEC’s website to better accommodate the regulated community. Staff reviews statewide election reports for contribution and expenditure totals and conducts a review of annual lobbyist reports to allow for the preparation and posting of analytical data.

The Compliance Division aspires to provide excellent customer service to both the regulated community and the public. Whether compliance is assisting over the phone, in a seminar or at a conference or convention, every effort is made to provide information and instruction on properly completing the disclosure forms and to provide the public with accurate and meaningful disclosure of information to promote the intent of the law and regulations. Compliance staff can be made available outside the office to provide informational seminars or training sessions, or to attend conferences or conventions. Providing helpful, courteous service each day to the regulated community and the public is our highest priority.




*Campaign Treasurer Training at ELEC  
By: Walter Leavey, Jr. and Gianna Leonardo*



# COMPLIANCE MANUALS

The compliance manuals are designed to assist candidates and treasurers with their filing obligation for any elected public office in the State of New Jersey. To further assist the regulated community, the Compliance Section conducted informational seminars throughout the year inhouse and via conference or convention. It also offered web-based electronic training seminars. In 2018, Compliance conducted 19 seminars. To access these publications, please visit the Publications section of ELEC's website at [www.elec.nj.gov/aboutelec/publs.htm](http://www.elec.nj.gov/aboutelec/publs.htm).


New Jersey Election Law Enforcement Commission



**2018**


**Compliance Manual for Candidates**  
Including a Summary of Requirements, Reporting Forms and Instructions  
February 2018

609.292.8700 or Toll Free Within NJ 1.888.313.ELEC (3532) • [www.elec.nj.gov](http://www.elec.nj.gov)




**2018**

Compliance Manual for  
Continuing Political Committees (CPCs)  
Legislative Leadership Committees (LLCs)  
Political Party Committees (PPCs)




Summary of Requirements  
Contribution Limits Chart  
Registration and Reporting Forms

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Revised February 2018




New Jersey Election Law Enforcement Commission




**2018**

**Compliance Manual for Professional Campaign Fundraisers**  
Definitions  
Summary of Requirements  
Registration and Reporting Forms  
February 2018


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**2018**



**Compliance Manual for Political Committees**  
Including:  
Summary of Requirements  
Contribution Limits Chart  
Registration and Reporting Forms



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February 2018



## LAW DIVISION

### **LEGAL SECTION**

The Legal Section is responsible for preparing advisory opinions and regulations, and interpreting and enforcing the disclosure laws under the jurisdiction of the Commission. Complaints, final decisions, advisory opinions, and regulations are posted on the Commission's website, thereby providing the public with timely and convenient access to legal resources. The Legal Section staff also provides guidance to the Commission staff in all aspects of the Commission's work.



*From left: Nichole DeFazio, Tia Dinh, Theresa J. Lelinski, Gail L. Shanker, Amanda S. Haines, Demery J. Roberts, Scott Miccio, and Ben Kachuriner.*

### **COMPLAINTS**

The Campaign Act authorizes the Commission to issue complaints alleging violations of the Campaign Act and seeking monetary penalties. The Legal Section issued 167 complaints in 2018. Of the 167 complaints, 18 resulted from investigative matters, and 149 from non-filer recommendations arising from the primary and general elections. As of the end of the year, 162 cases were ongoing. These complaints alleged excessive contributions, 48-hour notice violations, currency contributions over the \$200 limit, failure to file final reports, and late and non-filing of contribution, expenditure and depository information by candidates and political party committees. As to matters

transmitted to the Office of Administrative Law (OAL), the Legal Section workload also included discovery, filing briefs and exceptions, and settlement conferences with administrative law judges (ALJ).

### **FINAL DECISIONS**

At the conclusion of each case in which a complaint has been issued, the Commission issues a final decision which may impose monetary penalties. The Commission issued 211 final decisions in 2018 for violations of the Campaign Act. A total of \$67,936.49 was received in fines.

### **REGULATIONS**

The Commission uses its rulemaking authority to clarify statutory requirements and to provide guidance to filing entities and the public. The official text of the Commission Regulations is prepared by the OAL and appears in the New Jersey Administrative Code at [N.J.A.C. 19:25-1.1 et seq.](#) Commission Regulations are also posted on ELEC's website.

### **ADVISORY OPINIONS**

The Campaign Act authorizes the Commission to issue advisory opinions to assist the regulated community to comply with the law. Advisory opinions are issued upon request and are posted on ELEC's website. The Commission issued one advisory opinion in calendar year 2018, Advisory Opinion 01-2018 (AO 01-2018), which was requested by Celebrate New Jersey Now, Inc. (CNJN), a social welfare organization. CNJN desired to host events during the week before Governor Murphy's inauguration. It planned to accept assistance from individuals associated with the official inaugural committee regarding fundraising efforts pertaining to these events. CNJN asked whether it could accept donations for these events in excess of the \$500 limit imposed on contributions for official gubernatorial

## LAW DIVISION continued

inaugural fundraising events and in turn whether it had reporting requirements. CNJN represented that all funds: would be deposited into CNJN's accounts; would not be controlled by the Governor-elect or his inaugural committee; and, would not be used for any political purposes. In AO 01-2018, the Commission stated that "in reliance upon the facts specifically described in [CNJN's] request" it concluded that CNJN could accept donations in excess of \$500 and logistical and fundraising assistance from individuals associated with the inaugural committee, and that CNJN did not have reporting obligations under the Campaign Act.

### APPELLATE DIVISION DECISION

The Appellate Division affirmed ELEC's final decision issued in ELEC v. Bernardsville Republicans and Paula Marasco (Bernardsville). In Bernardsville, the Commission adopted the initial decision issued by the ALJ granting ELEC's motion for summary decision. The ALJ specifically concluded that Respondents failed to timely report depository information as well as contributions and expenditures on its 2006 quarterly reports, and received currency contributions above the \$200 limit. The ALJ imposed a \$300 penalty on the Bernardsville Republicans only, and imposed a \$5,354.15 penalty jointly and severally upon both Respondents. As indicated above the Commission's final decision adopted the initial decision, and the Appellate Division affirmed the final decision.

### CONCLUSION

Interpreting and enforcing the provisions of law are critical elements of effective administration of the campaign and lobbying financial disclosure entrusted to the Commission and to its Legal Section. The Legal Section continues to meet its challenges in a professional and responsible manner, to enforce the laws fairly and uniformly, and to treat all Respondents with the due process they are afforded under the law.



**Lawyers, Lobbyists and Money: Regulating Campaign Financing and Lobbying in New Jersey**  
Continuing Legal Education (CLE)  
By: Scott Miccio and Ben Kachuriner  
Assistant Legal Counsel



## LAW DIVISION continued

### **REVIEW & INVESTIGATION SECTION (R&I)**

The Review and Investigation consists of a director, six investigators and two support staff.



*Front row: Tamico Flack, Pam Kinsey, Laura Jurkiewicz, and Danielle Hacker.  
Back row: Marcus Malmignati, Shreve Marshall, Brett Mead, Christopher Guear, and Matthew Krinsley.*

In calendar year 2018, the Review and Investigation Section closed 43 investigations. The investigations primarily focused on the incomplete or untimely filing of campaign reports, campaign report information such as; complete disclosure of contribution and expenditure information, receipt of excessive contributions, and reporting obligations of individuals and/or entities that expended funds independently of the candidate.

### **REQUESTS FOR INVESTIGATION**

Any member of the public can request an investigation by completing the Confidential Request for Investigation form, which can be found on the Commission's web site, [www.elec.state.nj.us](http://www.elec.state.nj.us). The Requests for Investigation continue to be a major source of information regarding alleged violations of the Reporting Act as many members of the public continue to hold accountable their elected officials. When submitting a Request, it is helpful if the complainant provides as much information as possible; such as copies of campaign literature, photographs of campaign signs and any other information that may support the alleged reporting violation. However, these Requests cannot be filed by facsimile.

The Commission received a total of 129 Requests for Investigation in calendar year 2018.

The Commission also initiates investigations as a result of staff's review of reports filed with the Commission and as a result of a story that may have appeared in a news article. In calendar year 2018, the Commission determined to open a total of 25 new investigations. The Commission does not release any information to the public, indicate how it may have learned of a specific reporting violation, or comment as to how an investigation is initiated.

### **INVESTIGATIONS**

In most cases, in order to complete investigations, the R&I Section will issue a subpoena either to entities that are the subject of the investigation or to financial institutions where a designated campaign or organizational depository is established. The subpoenas are issued for the production of documents that are needed to corroborate the financial information that was reported by the respondents or obtain more accurate information to assist the respondents with their filing obligations. In calendar year 2018, the section issued 131 subpoenas.

### **ADMINISTRATIVE HEARING/OTHER LEGAL SUPPORT**

The Section's investigators also review the Commission's files for records of candidates and entities participating in an election who have failed to file any reports.

The R&I Section also assists the attorneys in the Legal Section with follow-up enforcement activity such as locating addresses for sheriff's service of complaints and in the preparation of cases for hearings before the Office of Administrative Law. In this instance, the investigator is required to prepare as the State's witness in the cases in which the respondents do not waive their right to such hearings. The investigators are also called upon to review amended reports filed by respondents in response to Commission complaints.



## INFORMATION TECHNOLOGY DIVISION

From an Information Technology perspective, 2018 can be summed up in two words – ELEC eFile. ELEC has a long history of successful electronic filing applications. The rollout of the new ELEC eFile continues that record.

As the year ended, ELEC successfully completed a big step towards our directive of mandatory electronic filing by 2020. This year, the focus of the IT Department was the completion of ELEC’s new online browser-based electronic filing system: ELEC eFile. Careful consideration and great care went into its design and functionality. This web-based system replaces the old PC-based software systems of R-1 Electronic Filing System (REFS) and Gubernatorial Electronic Filing system (GEFS) used by candidates running for public office and who are required to file the Form R1. The new system includes a long-awaited module for Continuing Political Party (CPCs, or PACs) committees required to file the Form R3.

The transition to new web-based software was inevitable given today’s heavy reliance on the Internet.

The PC-based REFS and GEFS applications were unveiled in 2001 and were originally written in the now-outdated Visual Basic computer programming language. PC-based software solutions, while a major advance at the time over paper filing of reports, were harder to use and maintain due in part to the wide variety of operating systems.

ELEC eFile is convenient because it enables users to enter information directly on their web browsers. This approach also enables ELEC staff to make quick updates for bug fixes and program enhancements. The software also can be accessed by desktop and laptop computers, smartphones or tablets. Additionally, it will work with

Windows, MAC or Linux operating systems. User data is stored safely and securely in Internet- connected “cloud” computers making it available anywhere and anytime. Users don’t have to worry about making backups.



*Front row: Shirley Bryant, Kim Swartz, Aydan Altan, Anthony Giancarli, and Brenda Brickhouse.  
Back row: Peter Palaitis, Elias Amaya, Lou Solimeo, Susan Danley, Helen Kelly, Bettie Michael, Ken Colandrea, and Brian Robbins.*

The new approach also should benefit taxpayers and allow ELEC staff to provide even better service to users. The Commission no longer will encounter costly and continuous maintenance upgrades that were required by the release of new computer operating systems, frequent patches and security updates. Previously our staff would spend extensive time and effort helping users troubleshoot problems that occurred because users rely on so many different types of computers and software. This will free up staff to assist in user training and support, as well as other IT projects.

What exactly is ELEC eFile? It is a comprehensive and dynamic campaign finance electronic filing and reporting system. ELEC eFile provides a user-friendly interface to manage campaign and committee accounts and keeps track of contribution and expenditure details. It has an extensive election-based identity management system with the ability to manage relationships between candidates, treasurers, deputy treasurers and other



## INFORMATION TECHNOLOGY DIVISION continued

campaign staff. The system is hosted in the cloud, and anyone can create an ELEC eFile account. Registration is simple, fast and easy. A user's account is secured by using a registration and PIN number, which is a two-part unique identifier familiar to most ELEC's filers. The PIN, combined with an email address, serve as an electronic replacement for a hand-written signature.

Some of ELEC eFile's most prominent features include the ability to:

- Assign roles and privileges for candidates, treasurers and data entry personnel.
- Allow users to control report access. For instance, some staff might be allowed to file a report while others would be allowed only to view reports.
- Transfer access to other users if a candidate or treasurer is no longer involved in a campaign or committee.
- Easily allow collaboration between candidates, treasurers and others.
- Track multiple campaigns or committees.
- Allow any number of individuals to access a single campaign or committee to facilitate data entry from different locations.
- Send an email notice to a member of a campaign or committee to view and certify a report before filing.
- Track all report filings and amendments.
- Track depository account information within or across multiple campaigns.
- Monitor individual contributor aggregates at a glance.
- Provide various summary reports.
- Quickly file 48-hour notices.
- Enter multiple-payee transactions such as purchases using a credit card.
- Archive past campaign and committee cycles.
- Export and import contributor and payee information between any campaign and committee, or from external sources.

### DATA ENTRY SECTION

As usual, ELEC's data entry staff has been hard at work this year. The staff labors diligently to key in reports still filed via paper. They input data for all elections, as well as for the "Big Six" (two state parties and four legislative leadership committees) and county and municipal political party committees. One of the major goals of the agency is provide timely and accurate information to the public via ELEC's website ([www.elec.nj.gov](http://www.elec.nj.gov)).

Data entry staff members also handle processing of registration and PIN application, which is ever-increasing. Since the registration and PIN number takes the place of a signature on a report, it is an important manual process that requires the application to be reviewed and processed by a staff member rather than a computer. The data entry staff completes this work quickly and efficiently.



*Chris Vigale, Samy Subramanian, and Anthony Giancarli at an IT discussion group*



# HOMEPAGE



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New Jersey Election Law Enforcement Commission

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## Advice for Filers

[Contact ELEC](#)

- Report Disclosure Dates
- Candidates
- Continuing Political Committees (PACs)
- Electronic Filing
- Gubernatorial Public Financing Program
- Independent Committees
- Legislative Leadership Committees
- Lobbyists
- Political Committees
- Political Party Committees
- Professional Fundraisers
- Public Contractors
- Recall Elections
- Treasurers



## Where To Find

|  |  |  |   |
|--|--|--|---|
| <a href="#">Complaints and Final Decisions</a> | <a href="#">Contributions and Expenditures</a> | <a href="#">Candidate or Committee Reports</a> | <a href="#">Lobbying Reports</a>                                  |
| <a href="#">Press Releases</a>                 | <a href="#">Pay to Play Reports</a>            | <a href="#">Advisory Opinions</a>              | <a href="#">News Letters, White Papers and Other Publications</a> |

### Press Releases

- [Pay-to-Play](#)  
April 8, 2019
- [First Quarter Lobbying](#)  
April 5, 2019
- [Enforcement Actions](#)  
April 3, 2019
- [May Municipal](#)  
April 3, 2019
- [Pay-to-Play](#)  
March 25, 2019
- [Meeting Agenda](#)  
March 13, 2019

### Spotlight On

- [‘Dark money’ flows into NJ politics and none of it has to be accounted for](#)  
[northjersey.com](http://northjersey.com)
- [ELEC-Tronic Newsletter Issue 118 April 2019](#)
- [White Paper No. 27](#)
- [The Challenge of Campaign Financing Regulation in the 21<sup>st</sup> Century](#)
- [Outside Spending Legislative Races Crushes Previous Records](#)  
[NJTVNEWS](http://NJTVNEWS)
- [Jeff Brindle Talks About Super PACs](#)  
[MY9NJ.com](http://MY9NJ.com)

### Contribution Limits

[View contribution limits for candidates, parties, political committees and PACs](#)

### Disclosure Dates

[Pending report disclosure dates](#)

### Additional Info

[5 Priority ELEC Recommendations](#)

### How do I...?

- [Electronically file my reports?](#)
  - [Candidates and Committees](#)
  - [Lobbyists](#)
  - [Public Contractors](#)
  - [Gubernatorial Candidates](#)
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## FINANCE AND ADMINISTRATION DIVISION

### **FINANCE AND ADMINISTRATION DIVISION**



*Front Row: Barbara Doose, Cheryl Lippincott, and Samantha Schutzbank.  
Back Row: Kelvin Fisher, Aracelis Brown, Tamika McCoy,  
Christine Clevenger, Christopher Mistichelli, and Elaine Salit.*

During 2018, the Finance and Administration Division continued to play an integral role in the successful operations of the Commission, by providing important management and employee services. Among the major areas handled and overseen by the Division are budget planning and analysis, purchasing/procurement, personnel and payroll administration, mail processing, and facilities management. Additionally, the Finance and Administration Division oversees multi-function devices and all other machinery maintenance for the entire Commission. Finally, reception services for the Commission are housed within the Finance and Administration Division. A great source of pride for all associated with the Commission is the fact that all telephone inquiries are still courteously and efficiently handled personally by a knowledgeable staff member and are not simply forwarded to a voicemail or telephone menu.

### **BUDGET**

One of the major areas of responsibility for the Finance and Administration Division is the preparation,

analysis, and management of the Commission's budget.

The Commission's fiscal year 2019 Direct State Services adjusted appropriation is \$4,630,000 which is an increase of \$120,000 from the fiscal year 2018 Direct State Services adjusted appropriation. This increase is to offset OIT's Cost Allocation Recovery charges. Thus, the Finance and Administration Division staff continued to work to ensure the accurate budgeting and management of expenditures.

During 2018, the Finance and Administration Division staff worked tirelessly with other Commission Divisions to ensure the efficient management of the budget and the purchasing of necessary supplies and services, in order to keep the Commission functioning at an optimal level.

### **PERSONNEL**

Another major area of responsibility for the Finance and Administration Division is the coordination and management of personnel activities for the entire Commission. Though the Commission has faced some turnover the last couple of years, the Finance and Administration Division staff successfully worked with the Civil Service Commission and the Governor's Office during 2018 to comply with all State personnel rules and regulations in backfilling positions. This has allowed overall staff levels to remain unchanged over the past few years.

### **CONCLUSION**

By providing important management and employee services in a timely and professional manner, the Finance and Administration Division has been an integral part of the Commission. The Division continued to work to maintain an atmosphere where all other Divisions could focus solely on their respective roles within the Commission, without concern for day-to-day administrative issues. During 2018, the Division operated within the parameters established by the Department of Treasury and the Governor's Office and continued to handle all responsibilities effectively.



FINANCE AND ADMINISTRATION DIVISION continued

In FY 2020, the Commission anticipates an appropriation of \$4,988,000 based on the Governor's Budget Message.

| COMPARISON OF FISCAL YEARS 2018 AND 2019 ORIGINAL DSS APPROPRIATIONS |                           |                           |
|--|---------------------------|---------------------------|
|  | FISCAL-2018 APPROPRIATION | FISCAL-2019 APPROPRIATION |
| Salaries and Wages   | 3,957,000                 | 3,957,000                 |
| Printing and Supplies  | 45,000                    | 45,000                    |
| Services Other Than Personal   | 506,000                   | 626,000                   |
| Maintenance and Fixed Charges  | 2,000                     | 2,000                     |
| <b>Total Operational</b>   | <b>\$4,510,000</b>        | <b>\$4,630,000</b>        |

| 2018 EVALUATION DATA             |           |
|----------------------------------|-----------|
| Disclosure Reports (Total        | 34,858    |
| Campaign & Quarterly             | 25,796    |
| Lobbyist                         | 6,576     |
| Pay-to-Play                      | 2,430     |
| Professional Campaign Fundraiser | 56        |
| Investigations                   | 43        |
| Complaints                       | 167       |
| Public Assistance Requests       | 11,241    |
| Fine Collection                  | \$67,936  |
| Lobbying Annual Fees             | \$442,750 |
| Campaign Fundraiser Annual Fees  | \$14,000  |



## COMMISSION STAFF & ORGANIZATION CHART

### EXECUTIVE

**JEFFREY M. BRINDLE, EXECUTIVE DIRECTOR**

**JOSEPH W. DONOHUE, DEPUTY DIRECTOR**

Christopher Vigale

Elbia L. Zeppetelli

Renee Zach

Steven Kimmelman

### COMPLIANCE DIVISION

**STEPHANIE A. OLIVO, ESQ., COMPLIANCE DIRECTOR**

Carl Skurat

Daniel Horowitz

Desiree DeVito

Gianna Leonardo

Kimberly Key

Maite Hopkins

Monica Triplin-Nelson

Michel Donato-Suarez

Milene Matos

Nancy Fitzpatrick

Titus Kamal

Walter Leavey, Jr.

### FINANCE & ADMINISTRATION DIVISION

**CHRISTOPHER MISTICHELLI, DIRECTOR**

Aracelis Brown

Barbara Doose

Christine Clevenger

Cheryl Lippincott

Elaine J. Salit

Kelvin Fisher

Tamika McCoy

Samantha Schutzbank

### LAW DIVISION

**DEMERY J. ROBERTS, ESQ., LEGAL DIRECTOR**

**AMANDA HAINES, ESQ., DEP. LEGAL DIRECTOR**

Benjamin Kachuriner, Esq.

Gail L. Shanker, Esq.

Maureen Tilbury

Nichole DeFazio, Esq.

Theresa J. Lelinski, Esq.

Tia Dinh, Esq.

Scott Miccio, Esq.

### REVIEW AND INVESTIGATION

**SHREVE E. MARSHALL, JR., DIRECTOR**

Brett Mead

Christopher Guear

Danielle Hacker

Laura Jurkiewicz

Matthew Krinsley

Marcus Malmignati

Pamela Kinsey

Tamico Flack

### INFORMATION TECHNOLOGY DIVISION

**ANTHONY GIANCARLI, DIRECTOR**

Aydan A. Altan

Brenda A. Brickhouse

Brian Robbins

Darlene Kozlowski

Elias J. Amaya

Elizabeth Michael

Helen Kelly

Kim Swartz

Ken Colandrea

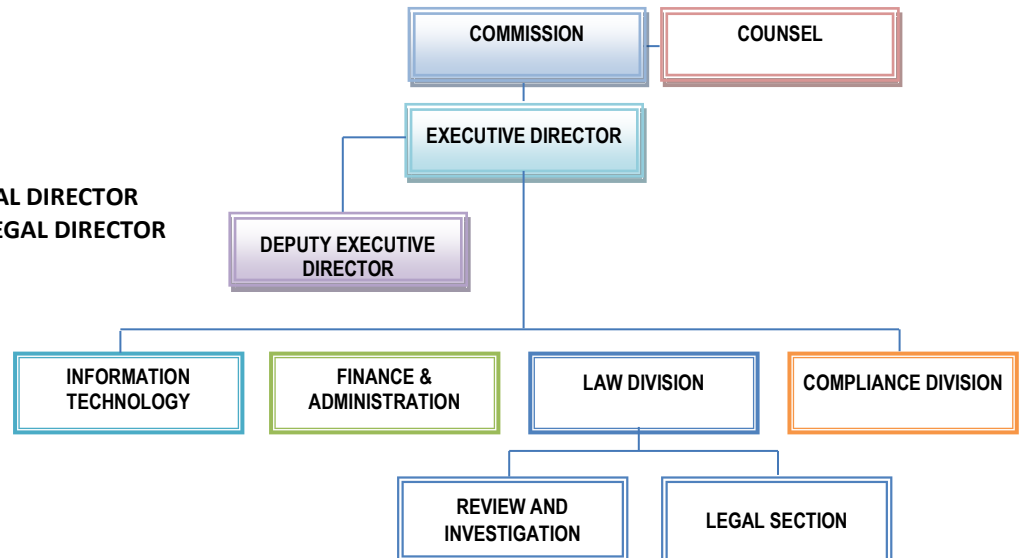
Louis Solimeo

Maryanne Garcia

Peter Palaitis

Shirley R. Bryant

Susan Danley





## ELEC OVERVIEW

### 1973

Frank P. Reiche, Chair  
Judge Sidney Goldmann, Vice Chair  
Judge Bartholomew Sheehan,  
Commissioner  
Florence P. Dwyer, Commissioner

### 1974-1979

Frank P. Reiche, Chair  
Judge Sidney Goldmann, Vice Chair  
Josephine Margetts, Commissioner  
Archibald S. Alexander, Commissioner

### 1980-1981

Judge Sidney Goldmann, Chair  
Josephine Margetts, Vice Chair  
Andrew C. Axtell, Commissioner  
M. Robert DeCotiis, Commissioner

### 1982-1983

Andrew C. Axtell, Chair  
M. Robert DeCotiis, Vice Chair  
Justice Haydn Proctor, Commissioner  
Alexander P. Waugh, Jr., Commissioner

### 1984-1986

Andrew C. Axtell, Chair  
Alexander P. Waugh, Jr., Vice Chair  
Justice Haydn Proctor, Commissioner  
Owen V. McNanny III, Commissioner

### 1987-1988

Judge Stanley G. Bedford, Chair  
Owen V. McNanny, III, Vice Chair  
Andrew C. Axtell, Commissioner  
David Linett, Commissioner

### 1989-1990

Judge Stanley G. Bedford, Chair  
Owen V. McNanny, III, Vice Chair  
David Linett, Commissioner  
S. Elliott Mayo, Commissioner

### 1991-1992

Owen V. McNanny, III, Chair  
Judge Stanley G. Bedford,  
Commissioner  
David Linett, Commissioner

### 1993-1994

Owen V. McNanny, III, Chair  
William H. Eldridge, Vice Chair  
David Linett, Commissioner

### 1995

William H. Eldridge, Chair  
Owen V. McNany, III, Vice Chair  
David Linett, Commissioner  
Michael Chertoff, Commissioner

### 1996

Judge Ralph V. Martin, Chair  
David Linett, Vice Chair  
Paula A. Franzese, Commissioner

### 1997-2000

Judge Ralph V. Martin, Chair  
David Linett, Vice Chair  
Paula A. Franzese, Commissioner  
Lynnan B. Ware, Commissioner

### 2001

Judge Ralph V. Martin, Chair  
Paula A. Franzese, Vice Chair  
Lynnan B. Ware, Commissioner  
Susan S. Lederman, Commissioner

### 2002-2003

Judge Ralph V. Martin, Chair  
Paula A. Franzese, Vice Chair  
Susan S. Lederman, Commissioner  
Peter J. Tober, Commissioner

### 2004-2006

Jerry Fitzgerald English, Chair  
Peter J. Tober, Vice Chair  
Albert Burstein, Commissioner  
Judge Theodore Z. Davis, Commissioner

### 2007

Jerry Fitzgerald English, Chair  
Peter J. Tober, Vice Chair  
Albert Burstein, Commissioner

### 2008-2009

Jerry Fitzgerald English, Chair  
Peter J. Tober, Vice Chair  
Albert Burstein, Commissioner  
Judge Amos C. Saunders, Commissioner

### 2010

Jerry Fitzgerald English, Chair  
Judge Amos C. Saunders, Vice Chair  
Albert Burstein, Commissioner  
Ronald DeFilippis, Commissioner

### 2011

Ronald DeFilippis, Chairman  
Walter F. Timpone, Vice Chairman  
Judge Amos C. Saunders, Commissioner  
Judge Lawrence Weiss, Commissioner  
(Appointed 4-2011)-Deceased 11-13-2011  
Jerry Fitzgerald English, Commissioner  
(Retired 3-15-2011)

### 2012-2015

Ronald DeFilippis, Chairman  
Walter F. Timpone, Vice Chairman  
Judge Amos C. Saunders, Commissioner  
(Deceased 8-16-2015)

### 2016

Ronald DeFilippis, Chairman  
Walter F. Timpone, Vice Chairman  
(Resigned 5-2-2016)

### 2017

Ronald DeFilippis, Chairman  
(Retired 7-2017)  
Eric H. Jaso, Chairman  
Stephen M. Holden, Commissioner  
Eric H. Jaso, Commissioner

### 2018

Eric H. Jaso, Chairman  
Stephen M. Holden, Commissioner  
Marguerite T. Simon, Commissioner

### EXECUTIVE DIRECTORS

|              |                        |
|--------------|------------------------|
| 1973-1976    | David F. Norcross      |
| 1976-1981    | Lewis B. Thurston, III |
| 1981-1984    | Scott A. Weiner        |
| 1984-2009    | Frederick M. Herrmann  |
| 2009-Present | Jeffrey M. Brindle     |

### LEGAL COUNSEL

|              |                   |
|--------------|-------------------|
| 1973-1994    | Edward J. Farrell |
| 1994-2012    | James P. Wyse     |
| 2012-Present | Edwin R. Matthews |

### CONSULTANT

1973-1978, 1982, 1986-1988  
Herbert E. Alexander