



The New Jersey Election Law Enforcement Commission

www.elec.state.nj.us
April, 2017

Annual Report 2016



COMMISSIONERS & SENIOR STAFF

Commission's Office

New Jersey Election Law Enforcement Commission
28 West State Street, 13th Floor
Trenton, New Jersey

(609) 292-8700 or
Toll Free Within NJ 1-888-313-ELEC (3532)

Website: <http://www.elec.state.nj.us/>
Facebook: <https://www.facebook.com/NJElectionLaw>
Twitter: <https://twitter.com/elecnj>



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

MISSION STATEMENT & TABLE OF CONTENTS



PAGE

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.

The Commission	1-5
Commission Organization	6
Commission Staff.....	7
Message from the Chairman.....	8-9
Executive Director's Remarks	10-12
Legislative Review and Recommendations	13-16
Statutory History of ELEC	17
Compliance Division.....	18-19
Law Division	
Legal Section.....	20-21
Review and Investigation Section.....	22-23
Information Technology Division	24-25
Homepage.....	26
Finance and Administration Division	27-28
ELEC Overview.....	29



HOW TO CONTACT ELEC

Hours of Operation

Commission: 9:00 am-5:00 pm, Monday - Friday
Public Room: 9:15 am-4:45 pm, Monday - Friday

By Phone

General information and Help Desk at: (609) 292-8700
Toll Free within New Jersey: 1(888) 313-ELEC (3532)

By Fax

48-hour notices only: (609) 292-7662, (609) 292-7664, (609) 292-4301 or (609) 292-4416.
Other reports will not be accepted by fax.

Legal Division: (609) 777-1457
Administration Division: (609) 777-1448

By U.S. Mail

New Jersey Election Law Enforcement Commission
P.O. Box 185, Trenton, New Jersey 08625-0185.

By Commercial Delivery Service

New Jersey Election Law Enforcement Commission
28 West State Street, 13th floor, Trenton, New Jersey 08608.

MISSION STATEMENT & TABLE OF CONTENTS



PAGE

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.

The Commission	1-5
Commission Organization	6
Commission Staff.....	7
Message from the Chairman.....	8-9
Executive Director's Remarks	10-12
Legislative Review and Recommendations	13-16
Statutory History of ELEC	17
Compliance Division.....	18-19
Law Division	
Legal Section.....	20-21
Review and Investigation Section.....	22-23
Information Technology Division	24-25
Homepage.....	26
Finance and Administration Division	27-28
ELEC Overview.....	29



HOW TO CONTACT ELEC

Hours of Operation

Commission: 9:00 am-5:00 pm, Monday - Friday
Public Room: 9:15 am-4:45 pm, Monday - Friday

By Phone

General information and Help Desk at: (609) 292-8700
Toll Free within New Jersey: 1(888) 313-ELEC (3532)

By Fax

48-hour notices only: (609) 292-7662, (609) 292-7664, (609) 292-4301 or (609) 292-4416.
Other reports will not be accepted by fax.

Legal Division: (609) 777-1457
Administration Division: (609) 777-1448

By U.S. Mail

New Jersey Election Law Enforcement Commission
P.O. Box 185, Trenton, New Jersey 08625-0185.

By Commercial Delivery Service

New Jersey Election Law Enforcement Commission
28 West State Street, 13th floor, Trenton, New Jersey 08608.



THE COMMISSION

Ronald J. DeFilippis, Chairman

Ronald J. DeFilippis is a founding partner in the firm of Mills & DeFilippis (CPAs LLP) where he currently serves as senior partner. He was nominated May 13, 2010 by Governor Chris Christie and unanimously confirmed by State Senate on June 24, 2010. Mr. DeFilippis was named Chairman by Governor Chris Christie in October of that year.

Chairman DeFilippis is one of the few veteran campaign treasurers ever to be named to the Commission. His first involvement as a campaign treasurer occurred in 1977, when former State Senator C. Robert Sarcone of Essex County asked him to serve as treasurer for his campaign in the Republican Primary for Governor. Since then, he has served as treasurer for scores of candidates throughout New Jersey for offices ranging from township council seats to U.S. Senate. From 1989 to 1995, he served as Treasurer for the Assembly Republican Majority.

Chairman DeFilippis graduated from Siena College in Loudonville NY with a B.A. in Accounting in 1973. He earned his MBA in Finance from Rutgers University Graduate School of Business in 1977. He formed his accounting firm in 1978.

His professional licenses include: Certified Public Accountant, State of New Jersey; Certified Public Accountant, State of New York; Certified Public Accountant, State of Florida; Certified in Financial Forensics by the American Institute of CPAs; Personal Financial Specialist designation by the American Institute of CPAs; and Insurance Producers License, State of New Jersey.

His memberships include: American Institute of Certified Public Accountants; New Jersey Society of Certified Public Accountants; Florida Institute of Certified Public Accountants; Morris County Chamber of Commerce; and Roxbury Township Chamber of Commerce.

Married, Commissioner DeFilippis and his wife, Patti, reside in Succasunna. They have two sons.



Ronald J. DeFilippis, Chairman



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 Glassboro State College (now Rowan University), and 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.



Stephen M. Holden, Commissioner



THE COMMISSION continued

Eric Hector Jaso, Commissioner

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 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.

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.



Eric H. Jaso, Commissioner



THE COMMISSION continued

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 120 articles in newspapers, magazines, and periodicals, including "Campaigns and Elections," "The New York Times," "Politickernj.com," "InsiderNJ.com," "NewJersey Newsroom.com," and "The Star-Ledger."

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 93 issues that have appeared through March 2017.

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.

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.



Jeffrey M. Brindle, Executive Director

THE COMMISSION continued

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.



*Edwin R. Matthews
Legal Counsel*

Mr. Matthews has frequently lectured 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

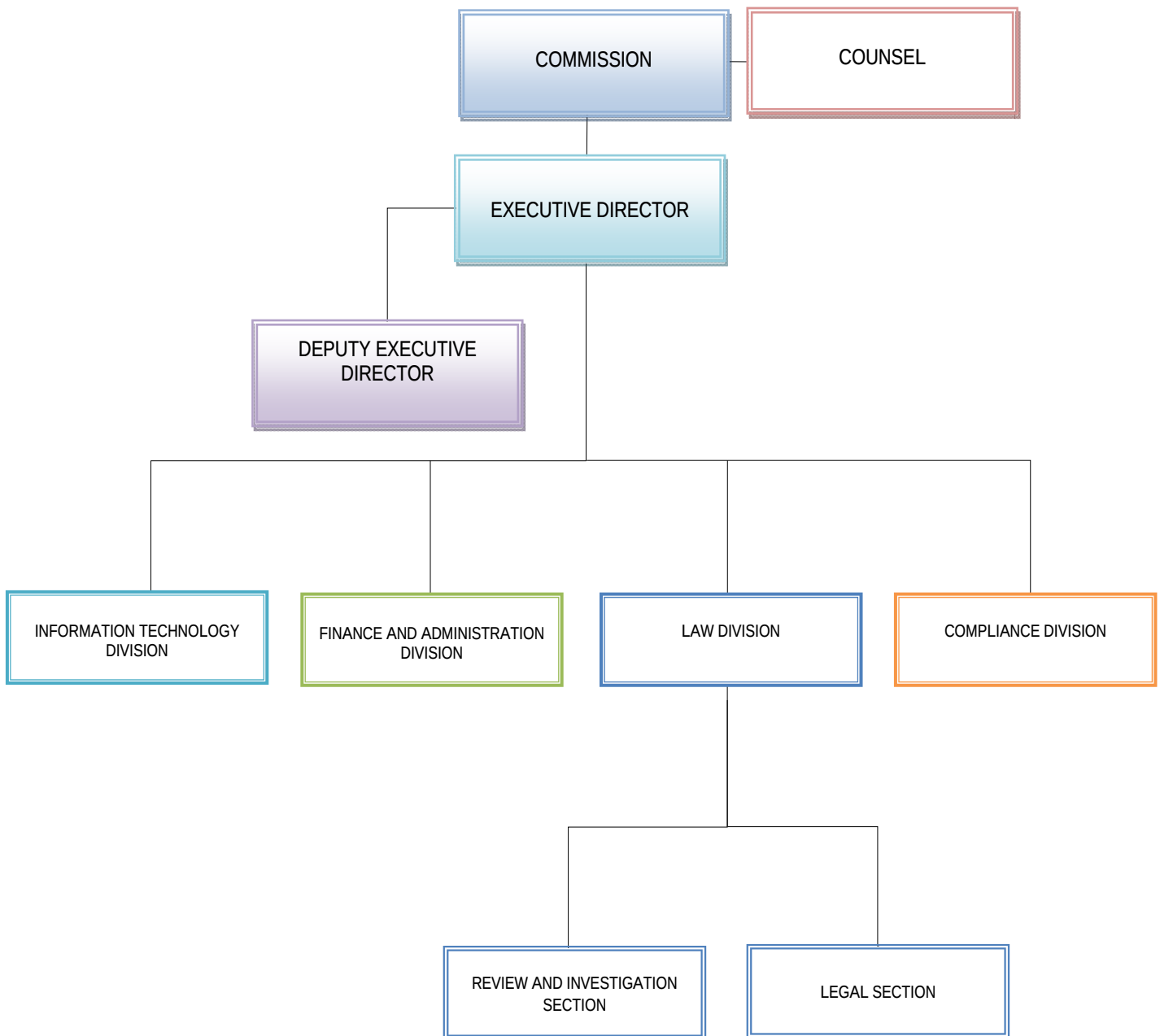
Master of the Inn of Court at Seton Hall University School of Law.

Mr. Matthews served in the United States Marine Corps where he attained the rank of Captain. He was awarded the Bronze Star Medal, Navy Commendation Medal, 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 2015. 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.



COMMISSION ORGANIZATION





COMMISSION STAFF

EXECUTIVE

JEFFREY M. BRINDLE, EXECUTIVE DIRECTOR
JOSEPH W. DONOHUE, DEPUTY DIRECTOR

Steven Kimmelman

Renee Zach

Elbia L. Zeppetelli

COMPLIANCE DIVISION

STEPHANIE A. OLIVO, ESQ., COMPLIANCE DIRECTOR

Desiree DeVito

Michel Donato-Suarez

Nancy Fitzpatrick

Maite Hopkins

Daniel Horowitz

Titus Kamal

Kimberly Key

Walter Leavey, Jr.

Marcus Malmignati

Milene Matos

Elizabeth A. Michael

Monica Triplin-Nelson

Carl Skurat

Christopher Vigale

GUBERNATORIAL PUBLIC FINANCING

Andrew Garcia

Alexander King

Gianna Leonardo

Michael Maloney

Mary Sansone

Jason Snyder

FINANCE & ADMINISTRATION DIVISION

CHRISTOPHER MISTICHELLI, DIRECTOR

Aracelis Brown

Christine Clevenger

Valencia Daly

Jelitza DeLeon

Tamika McCoy

Elaine J. Salit

Judy Sheridan

LAW DIVISION

DEMERY J. ROBERTS, ESQ., LEGAL DIRECTOR
AMANDA HAINES, ESQ., DEPUTY LEGAL DIRECTOR

Tia Dinh, Esq.

Benjamin Kachuriner, Esq.

Theresa J. Lelinski, Esq.

Michelle R. Levy, Esq.

Scott Miccio, Esq.

Gail L. Shanker, Esq.

Maureen Tilbury

REVIEW AND INVESTIGATION

SHREVE E. MARSHALL, JR., DIRECTOR

Christopher Guear

Tamico Flack

Danielle Hacker

Lovinsky Joseph

Laura Jurkiewicz

Pamela Kinsey

Matthew Krinsley

Brett Mead

INFORMATION TECHNOLOGY DIVISION

ANTHONY GIANCARLI, DIRECTOR

Aydan A. Altan

Elias J. Amaya

Brenda A. Brickhouse

Shirley R. Bryant

Ken Colandrea

Barbara Counts

Susan Danley

Maryanne Garcia

Helen Kelly

Darlene Kozlowski

Peter Palaitis

Brian Robbins

Kim Roman

Nelly R. Rosario

Louis Solimeo



MESSAGE FROM THE CHAIRMAN

It was a troubling, unprecedented year for the New Jersey Election Law Enforcement Commission (ELEC).

Due to the lack of commissioners, ELEC had been unable to hold a meeting since March 2016.

In fact, the Commission has been without a full complement of commissioners since October 2011. It was then that Commissioner and former State Superior Court Judge Lawrence Weiss passed away, leaving ELEC to function with three commissioners.

Then in August 2015, former State Superior Court Judge and outstanding public servant Amos C. Saunders died; after which the Commission had two remaining members.

Finally, in Spring 2016, Governor Christie tapped Vice Chairman Walter F. Timpone to be on the State Supreme Court. Upon his confirmation, the Commission was left with one member, yours truly.

Because the Open Public Meetings Act requires at least two members to call a public meeting, the Commission was unable to do so for several months.

This lack of commissioners resulted in the Commission's inability to issue final decisions involving violations of the Act. Not being able to render final determinations removed a vital function from the Commission, leaving cases in limbo until commissioners were appointed and meetings were held.

Another function not able to be performed involved the promulgation and adoption of regulations. While the Commission has existing regulations in place, these regulations often need to be tightened, simplified, or refreshed in order to better serve the public.

Without the ability to hold a meeting this important process could not proceed.



Ronald J. DeFilippis, Chairman

While the above is certainly true, constituting a very serious problem for the Commission and the integrity of elections, I do not want to leave the impression that there were no accomplishments in 2016 nor that the bulk of the Commission's work was left undone.

Nothing could be further from the truth. Despite the handicap of not having a fully constituted Commission, the Commission's staff soldiered on in a manner befitting the professionals they are.

Whatever could be done, whatever could be accomplished, was done and accomplished.

It was in times like these that the true merit of the staff shone through, and brightly.

The Commission's hard working legal staff not only continued to prepare complaints, and make ready final decisions for when the Commission was able to meet, but it also undertook two complex cases, one being heard by the Appellate Court.



MESSAGE FROM THE CHAIRMAN continued

An important part of this enforcement activity involves investigations. In this regard, the Review and Investigative staff continued to investigate potential violations of campaign, lobbying, and pay-to-play law.

Known for its analytical press releases, reports, and columns, Commission staff continued to highlight trends in these important areas all through the year.

In times preceding the primary and general elections, the public was kept apprised of the activity of independent groups, candidates, state and county political parties, and activity involving significant ballot questions.

Further, Commission staff produced the 2017 Gubernatorial Public Financing Cost Index Report.

In 2016, the Compliance staff conducted seminars and training sessions and continued to assist ELEC's community of filers and the public on a day-to-day basis.

Unlike many other bureaucracies, ELEC has a long-standing reputation as a service agency that is courteous and helpful. This tradition was carried forth in 2016.

Despite the lack of commissioners, preparations for the administration of the Gubernatorial Public Financing Program took place, with training sessions offered to potential candidates and their staff.

Newly hired public financing staff were trained to assure the public that there will be no interruption in the administration of the State's highly regarded gubernatorial program.

Finally, the Commission's Information and Technology staff made great strides toward completing a comprehensive upgrade of ELEC's computer system.

This upgrade, including full electronic filing for all filers, access from smart phones, tablets and laptops, and newly designed website, is to be fully completed in 2017.

As always, the Finance and Administration staff did an excellent job maintaining the budget and providing for personnel needs. Further, the Commission's executive assistance staff provided important support for Executive and Legal functions.

These are just some of the highlights of 2016. Despite the obvious problems created by the lack of commissioners, the Commission continued to do its very best to uphold the proud tradition that is ELEC.

I proudly submit this Annual Report to the Legislature.



EXECUTIVE DIRECTOR'S REMARKS

In last year's annual report, I mentioned that 2016 could usher in "tremendous outside group spending." This prediction was predicated upon the fact that three controversial ballot questions were likely to appear on the November ballot.

These ballot questions were to involve casinos, Transportation Trust Fund, and pensions. In the end, two of the three questions appeared on the ballot: casino gambling outside of Atlantic City and the implementation of the Transportation Trust Fund legislation.

While independent group spending did not materialize to the extent expected (due to lack of pension ballot question), it did reach new ground, setting an all-time record for spending on ballot initiatives.

Independent group spending, mostly on the casino question, but to a lesser extent on the Transportation Trust Fund and various local initiatives, amounted to over \$30 million. This figure dwarfed the previous high in 1976, which reached \$5.6 million (adjusted for inflation), also on a casino question.

Next year, with the Governor's Office up for election, plus the State Senate and Assembly, and local elections, independent group spending is expected again to set records.

In the similar year of 2013, outside group spending capped \$41 million. It is safe to say that spending by these often-anonymous groups will exceed that figure, again by a significant margin.

In 2016, the Commission, as noted by Chairman Ron DeFilippis, was handicapped by the fact that there were three vacancies on the Commission. With Chairman DeFilippis the lone Commissioner, the Commission, because of the Open Public Meetings Act, was not able to hold meetings. From April through the end of the year no meetings were held.

Despite this fact, the staff of the Commission soldiered on, continuing to undertake many necessary functions.

One of those functions involved working with legislators and legislative staff to have legislation introduced that would require disclosure by independent groups, strengthen political parties, and reform pay-to-play.

The Commission's proposals include registration and disclosure by independent organizations. Moreover, they include disclosure of contractor donations to outside groups.

Proposals involving political parties include increasing contribution limits on donations made to them, exempting political parties from pay-to-play, allowing parties to participate in gubernatorial elections, allowing parties to contribute to each other, and loosening federal rules on party state accounts.

Finally, with regard to pay-to-play, the Commission has called for one state law across the board, an end to the fair and open loophole, enhanced disclosure, political action committees (PACs) to be included under the law, and an increase in the contribution limit applicable to public contractors from \$300 to \$1,000.



Jeffrey M. Brindle, Executive Director



EXECUTIVE DIRECTOR'S REMARKS continued

As the result of working closely with legislators from both sides of the political aisle, legislation incorporating the above proposals have been introduced by Assembly Minority Leader Jon Bramnick and Democratic Assemblyman Troy Singleton.

Independent group spending, mostly on the casino question, but to a lesser extent on the Transportation Trust Fund and various local initiatives, amounted to over \$30 million.

With the mission of the Commission being disclosure, much progress was made in 2016 in terms of upgrading and modernizing its computer operations. As the result of a special appropriation in fiscal year 2015, the Commission is well on its way toward having one of the best systems in the nation.

For example, electronic filing for candidates, which will become mandatory upon the adoption of regulations, has been upgraded and implemented.

Moreover, lobbyists now file both annual financial reports and quarterly activity reports electronically. This is courtesy of brand new and redesigned software.

The completion of this puzzle may well be occurring upon issuance of this report, as political parties and PACs begin to file electronically.

Further, a new website, more simple, straight forward, and easily navigable is about to be introduced as part of the computer upgrade.

And finally, unseen by the public, is the work that was done modernizing the system's infrastructure, making it ready to face the challenges of the future.

Despite an eight-month delay in getting approvals to start the project, the completion of the overall upgrade will be accomplished just in time for the arrival of the gubernatorial and legislative elections of 2017.

Another below the surface activity undertaken during the course of 2015 and 2016 has been the reorganization and shifting of staff to accommodate the changing needs of the Commission.

Keep in mind that this reorganization has been taking place within budget, in fact for the most part having saved tax payer money.

For example, as the result of not backfilling certain positions vacated as the result of retirements and resignations, five new attorneys, plus the filling of a deputy legal director have been added.

Two new investigator staff members have been added by promoting two individuals from other sections, whose needs have changed over the years.

The Commission's proposals include registration and disclosure by independent organizations. Moreover, they include disclosure of contractor donations to outside groups.



EXECUTIVE DIRECTOR'S REMARKS continued

Finally, with regard to pay-to-play, the Commission has called for one state law across the board, an end to the fair and open loophole, enhanced disclosure, political action committees (PACs) to be included under the law, and an increase in the contribution limit applicable to public contractors from \$300 to \$1,000.

Further, three staff members who have served in the Data Entry Section have been transferred into Administration, Information Technology, and Review and Investigation.

Finally, in terms of streamlining and enhancing efficiency in the Compliance Division, two assistant director positions have been eliminated and not backfilled due to retirement and transfer to a different State agency.

All of these moves have been accomplished without increasing the number of full time employees (FTE's) or increasing the salary account.

During the past few years, the Commission has been moving steadily toward the future. In addition to the computer upgrade, reorganization of staff, and closely working for legislative reforms, the Commission is expected to be moving to a new location, totally renovated, allowing all staff to be on one floor.

As part of this movement toward the future, the Commission has implemented a number of critical, and, new measures.

Among these measures are the local contributor database, the newsletters, analytical press releases and white papers, columns, computer upgrade, including electronic filing, online access to lobbying reports and advisory opinions, online video treasurer training, YouTube, Facebook, and twitter.

In addition, the website also contains complaints, final decisions, and pay-to-play disclosure.

And finally, to repeat the sentiments of Chairman DeFilippis, my heartfelt thanks to the staff and the professional way that it carried on during this very difficult period. In so many ways, because of them, the Commission continued to function efficiently.

And to Chairman DeFilippis, my gratitude for his dedication to the Commission, not only now, during a time of vacancies on the Commission, but during his entire tenure on the Commission.



LEGISLATIVE REVIEW & RECOMMENDATIONS

Independent special interest groups again played a dominant role in elections held in 2016.

About \$27 million was spent in support or opposition to two statewide ballot questions and a variety of local ballot initiatives.



Joseph W. Donohue, Deputy Director

The bulk of that spending was undertaken by groups supporting or opposing casino gambling outside of Atlantic City. A total \$24.7 million was spent by independent organizations engaged in the casino battle, a new record.

An additional \$2.4 million was spent on ballot question number two involving the Transportation Trust Fund. Altogether, \$3.3 million was spent independently on public referenda in various communities throughout the State.

The spending on the ballot measures continued a trend that began in earnest in New Jersey in recent years. For example, since 2009 an amount in excess of \$66.8 has been spent on gubernatorial and legislative races. This amount represents almost 90 percent of the total independent spending taking place since modern campaign finance laws were enacted in the 1970's. Now add the \$30 million on ballot initiatives and \$97 million has been spent by independent groups since 2009.

It is commendable that some of the independent groups voluntarily filed reports that included the names of their contributors, particularly during the 2015 and 2016 elections. But others did not. Unfortunately, under current New Jersey law, this money could have been spent without anyone detailing how they raised one dime.

**TABLE 1
INDEPENDENT SPENDING ON 2016 ELECTIONS**

GROUP	TOTAL
Trenton's Bad Bet	\$14,596,352
Our Turn NJ	\$ 8,572,506
Hotel Restaurant and Club Employees and Bartenders Union Local 6 UNITE HERE	\$ 500,000
New York Hotel and Motel Trades Council, AFL-CIO	\$ 500,000
North Jersey Gaming Advocates	\$ 474,974
DGMB Casino LLC	\$ 25,594
Public Question #1 (Casinos) Total	\$24,669,426
Engineers Labor Employee Cooperative	\$ 1,373,276
Forward New Jersey	\$ 1,002,411
Public Question #2 (Gas Tax) Total	\$ 2,375,687
TOTAL STATE	\$27,045,113
OTHER PUBLIC QUESTION/INDEPENDENT EXPENDITURE COMMITTEES	
Carpenters Fund for Growth and Progress	\$ 1,573,550
NJ Coalition of Real Estate	\$ 492,529
Garden State Forward (Jersey City)	\$ 339,357
Better Education for NJ Kids Inc. (Jersey City)	\$ 252,762
Parent Coalition for Excellent Education Action Fund (Newark)	\$ 207,935
NJEA School Elections Committee	\$ 115,338
Aqua New Jersey (Westville)	\$ 106,020
Other	\$ 251,699
TOTAL LOCAL	\$ 3,339,190
TOTAL STATE AND LOCAL	\$30,384,303



LEGISLATIVE REVIEW & RECOMMENDATIONS continued

Since 2010, one of the top legislative priorities of the Election Law Enforcement Commission has been that independent special interest groups comply with the same disclosure standards as candidates, parties, and continuing political committees (PACs). The recommendation would extend disclosure rules to federal Super PACs, 527 committees, and 501(c) committees that actively participate in New Jersey elections.

RECENT LEGISLATIVE ACTIVITY

An ELEC recommendation adopted into law during the 216th Legislature, was a bill that ended a requirement for candidates to file duplicate campaign finance reports with county clerks as well as with ELEC.

In this computer age this duplication was considered to be unnecessary. The law became effective January 1, 2015.

Another bill endorsed by ELEC was introduced by Senate Majority Leader Loretta Weinberg (D-37) on February 2, 2016 and moved out of Senate Committee on December 12, 2016. S-1404 would require government affairs agents hired by public entities to file notices of representation and compensation information with ELEC.

On February 11, 2016, the State Senate, by a vote of 35-0, approved Senate bill 96. This bill, co-sponsored on a bi-partisan basis by Senators James Whelan (D-2) and Diane Allen (R-7), would authorize public financing in the event of a special election for governor. The bill was recommended by ELEC.

NEW PRIORITY RECOMMENDATION

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.

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.

PRIORITY RECOMMENDATIONS

Disclosure of Super PAC, 527 and 501(c) committee activity. Also, strengthen political parties as part of an effort to offset influence of independent groups.

Potential Benefit: Super PACs and non-profit groups organized under Section 527 and Section 501(c) of the IRS code have become active players in political campaigns nationally and in New Jersey. Yet, disclosure by these groups is woefully inadequate.

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.



LEGISLATIVE REVIEW & RECOMMENDATIONS continued

Potential Benefit: Extending the prohibition that applies to state contractors to county and municipal contractors should greatly reduce the “pay-to-play” influence of business entities.

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.

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.

Require lobbying activity on behalf of government agencies to be disclosed by registered lobbyists.

Potential Benefit: Wider disclosure could help discourage unnecessary spending by public entities and provide more transparency over governmental activities.

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 of government.



LEGISLATIVE REVIEW & RECOMMENDATIONS continued

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.

Discourage the proliferation of affiliated PACs in New Jersey.

Potential Benefit: This legislation would make it more difficult for groups and individuals to evade the contribution limits and “pay-to-play” laws by establishing multiple PACs.

OTHER INITIATIVES

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.
- Reallocate funds in the Commission’s public financing budget that traditionally were used for printing gubernatorial ballot statements for paid advertising of the mandatory gubernatorial debates.

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

Commission created by P.L. 1973, c.83 (N.J.S.A. 19:44A-1 et seq.) – “The New Jersey Campaign Contributions and Expenditures Reporting Act” - effective date: April 24, 1973.

Gubernatorial Public Financing Program established by P.L. 1974, c.26 (N.J.S.A. 19:44A-27 et seq.) - effective date: May 6, 1974.

Gubernatorial Public Financing Program Extending to Primary Elections signed by Governor Brendan Byrne (Chapter 74) – effective date: July 23, 1980.

Personal Financial Disclosure Program established by P.L. 1981, c.129 (N.J.S.A. 19:44B-1 et seq.) - effective date: May 1, 1981.

Lobbying Program established by P.L. 1981, c.150 (N.J.S.A. 52:13C-18 et seq.)-effective date: May 22, 1981.

Continuing Political Committee Quarterly Reporting established by P.L. 1983, c.579 (amendments to N.J.S.A. 19:44A-1 et seq.) - effective date: January 17, 1984.

Lobbying Reform established by P.L. 1991, c.243 (amendments to N.J.S.A. 52:13C-18 et seq.) - effective date: January 1, 1992.

Campaign Finance Reform established by P.L. 1993, c.65 (amendments to N.J.S.A. 19:44A-1 et seq.) - effective date: April 7, 1993.

Street Money Reform Law established by P.L. 1993, c.370, (codified as N.J.S.A. 19:44A-11.7) - effective date: January 7, 1994.

Uniform Recall Election Law established by P.L. 1995, c.105, (codified as N.J.S.A. 19:27A-1 et seq.) - effective date: May 17, 1995.

Political Identification Law established by P.L. 1995, c.391, (codified as N.J.S.A. 19:44A-22.2 and 22.3) - effective date: February 1, 1996.

Contribution Limit Changes established by P.L. 2001, c.384 (amendments to N.J.S.A. 19:44A-1 et seq.) - effective date: January 8, 2002.

Campaign Financing Reform Initiatives established by 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.) - effective dates from June 16, 2004 through January 1, 2006.

2005 Clean Elections Pilot Project established by P.L. 2004, c.121 - effective date August 11, 2004.

Lobbying Law Expansion established by P.L. 2003, c.255 (effective April 13, 2004) and P.L. 2004, c.20, 27, 34, 36, 37, and 38 (amendments to N.J.S.A. 52:13C-18 et seq.) - effective dates April 13 through August 16, 2004.

Pay-to-Play Contracting Reform (amendments to N.J.S.A. 19:44A-1 et seq.) established by P.L. 2004, c.19 (codified as N.J.S.A. 19:44A-20.3 through 20.12) - effective January 1, 2006; P.L. 2005, c.51 (codified as N.J.S.A. 19:44A-20.13 through 20.25) - portions retroactive to October 15, 2004 and portions effective January 1, 2006; and, P.L. 2005, c.271 (codified as N.J.S.A. 19:44A-20.26 and 20.27) - effective January 5, 2006.

2007 Clean Elections Pilot Project established by P.L. 2007, c.60 - effective date March 28, 2007.

Office of Lieutenant Governor established by P.L. 2009, c.66 – effective date June 26, 2009.

Solicitation Ban on Public Property established by P.L. 2011 c.204 – effective date January 17, 2012.

Eliminates the Requirement of Candidates to File Duplicate Copies of Campaign Treasurer’s Reports with County Clerks established by P.L. 2014, c.58 and N.J.A.C. 19:25-8.12 - effective January 1, 2015.



Steve Kimmelman
Research Assistant



COMPLIANCE DIVISION

COMPLIANCE DIVISION

The Compliance Division manages compliance programs for all matters within ELEC's jurisdiction. The Division, previously divided into sections for campaign finance, lobbying, pay-to-play and gubernatorial, has been unified to enhance employee resources and compliance programs. The compliance team of compliance officers and technical assistants, perform a wide array of functions, with a primary purpose of assisting the regulated community. The staff is available in person and over the phone to help gain compliance with applicable laws in order to maximize disclosure of campaign finance and lobbying information to the public.

clients to meet their full filing requirements online. Compliance staff prepared materials, conducted seminars and answered telephone calls to assist the users of the new system. The resulting data from lobbying reports and other filings is immediately available and searchable on the new lobbying tabs of ELEC's website. These new features to the website provide the public with up-to-date access to currently registered governmental affairs agents, their clients and activity on legislation and governmental processes.

Electronic filing for candidates was also upgraded in 2016. Compliance worked diligently with IT staff to overhaul R-1 Electronic Filing Software (REFS) used by many candidates

to file their reports. Compliance staff made great strides in making the program more usable and intuitive.

In addition to those major projects, compliance staff did their best to serve the needs of the regulated community and the general public through the many programs it oversees. These include election cycle reporting by candidates, joint

candidate committees and political committees, which included candidacies for local primary and general, school board, fire district, May Municipal and a December Runoff; quarterly reporting relating to political party committees, legislative leadership committees and continuing political committees; annual quarterly lobbying disclosure; and registration of professional campaign fundraisers and quarterly fundraising activity.



Front row: Marcus Malmignati, Mary Sansone, Kim Key, Gianna Leonardo, and Daniel Horowitz.

Back row: Maite Hopkins, Michael Maloney, Walter Leavey, Jr., Desiree DeVito, Jason Snyder, Alexander King, Stephanie Olivo, Michel Donato-Suarez, Monica Triplin-Nelson, Christopher Vigale, Andrew Garcia, Nancy Fitzpatrick, Titus Kamal, Milene Matos, and Carl Skurat.

In 2016, compliance's focus was on electronic filing, both for governmental affairs agents and for candidates. Beginning with the first filing quarter, mandatory electronic filing was required for all governmental affairs agents who submit quarterly lobbying activity reports and for reports required to register and terminate agents and represented entities. The new electronic filing program is web-based, easy to use, and conveniently allows lobbyists and



COMPLIANCE DIVISION continued

During the year, 4,847 candidates and committees filed approximately 21,981 disclosure reports. There were an average of 935 registered governmental affairs agents that filed 6,431 reports disclosing their annual, quarterly and other lobbying reports. Moreover, 21 professional campaign fundraisers registered in 2016 filed 83 reports. Lastly, there were 1,700 registered continuing political committees (also known as PACs) that filed reports with the Commission.

Regulated Group	Number	Reports Filed
Candidates and Committees	4,847	21,981
Public Contractors	1,956	2,420
Lobbyists	935	6,431
Professional Fundraisers	21	83
Totals	7,759	30,915

The reports received by ELEC are filed electronically or are scanned by compliance staff in order to be viewable by the public on ELEC's website. Compliance officers associate the reports to the appropriate filing entity and review for compliance with the applicable law and regulations. In addition to direct mail reminders, delinquent and non-filer letters, seminars, in-person and telephone assistance, compliance staff sends direct correspondence to candidates and committees to assist them in complying by pinpointing corrections needed for proper disclosure. Compliance staff held 41 seminars with 237 attendees, certified 209 treasurers, responded to 8,490 telephone assistance calls, assisted 191 individuals in the public room and responded to 30 Open Public Records Law requests. Staff also conducted a review of annual lobbyist reports to allow for the preparation of an analytical press release.

Compliance staff also assists business entities in the filing of required disclosures for compliance with Pay-to-Play. In 2016, 1,956 business entities electronically filed 2,420 Business

Entity Disclosure Forms, which are viewable on ELEC's website. The forms disclosed 19,916 public entity contracts worth \$8,608,562,949, and 7,550 contributions to candidates and committees totaling \$8,135,595.

The Compliance Division also began to prepare for the upcoming gubernatorial race to administer the Gubernatorial Public Financing Program. Instructional materials were updated to reflect changes in the gubernatorial contribution limit, thresholds for candidate qualification and updates to processes and procedures that will be utilized in facilitating the disbursement of public funds. Compliance staff began fielding inquiries regarding the public financing program in mid-2016 and training programs were conducted for interested candidates later in the year. In addition to compliance staff being trained in the implementation of the public financing program, five analysts and one information technology specialist were hired and trained to assist in processing submission for funds.

The Compliance Division aspires to provide excellent customer service and reach both the regulated community and the public to provide information and assistance. To further that goal in 2016, compliance staff attended the League of Municipalities Convention, and prepared additional regulatory guidance materials. Compliance staff communicated with countless attendees, many of which were regulated by ELEC, answering questions and providing general information. 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. Providing this service on a daily basis in a professional manner to the regulated community and to the public is our highest priority.



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 concerning the law and the regulations.



From left: Demery J. Roberts, Tia Dinh, Ben Kachuriner, Theresa J. Lelinski, Gail L. Shanker, Scott Miccio, Michelle R. Levy, and Amanda S. Haines.

COMPLAINTS

The Reporting Act authorizes the Commission to issue complaints alleging violations of the Act and seeking monetary penalties. The Legal Section issued 93 complaints in 2016. Of the 93 complaints, 13 resulted from investigative matters, and 80 from non-filer recommendations arising from the

municipal, primary and general elections. Also, 194 cases were open as of the end of 2016. These complaints concerned use of campaign funds, failure to file 48-hour notices, receipt of excessive contributions, and late and non-filing of contribution, expenditure and depository information by candidates and continuing political committees. The Legal Section workload also included motion practice and an administrative hearing before the Office of Administrative Law. Additionally, the Legal Section sought appellate review of a manifestly incorrect initial decision that became a deemed-adopted final decision because the Commission

was unable to review the matter due to vacancies. The Commission sought a stay of the 45-day time period to review that initial decision, but the stay was denied and the decision was deemed adopted.

FINAL DECISIONS

At the conclusion of each case in which it has issued a complaint, the Commission issues a final decision, which may impose monetary penalties. The Commission issued 36 final decisions in 2016 for violations of the Act. A

total of \$121,914.83 was received in fines, including amounts received as payable in cases from earlier years. As the Commission has been unable to meet since March, no additional final decisions have been issued. To facilitate concluding the matters that the respondent desires to resolve, the Executive Director has issued 45 declarations of intent.



LAW DIVISION continued

These declarations demonstrate that the respondent has satisfied their filing obligations and paid any penalty imposed, and Commission staff's intent to present the matter for final decision action when the Commission has the necessary membership. All complaints, declarations of intent and final decisions are posted on the Commission's website.

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 Office of Administrative Law, and appears in the New Jersey Administrative Code at N.J.A.C. 19:25-1.1 et seq. The text of the Regulations is also posted on the Commission's website. During 2016, the Commission did not engage in any rulemaking. As the Commission was unable to meet for most of the year, no new or amended regulations could be proposed.

ADVISORY OPINIONS

To provide guidance to the regulated community, the Act and Commission Regulations authorize the Commission to issue opinions regarding legal requirements under the Commission's jurisdiction that may impact future campaign or lobbying activities. These advisory opinions are issued to individuals having standing and are posted on ELEC's website. The Commission issued one advisory opinion in calendar year 2016. Advisory Opinion 01-2016 (AO 01-2016) addressed whether a contribution submitted over the internet with an electronic signature to a gubernatorial candidate would be eligible for public matching funds. The request was made on behalf of Ciattarelli for Governor, a gubernatorial

candidate committee for the 2017 primary election. AO 01-2016 advised that a contribution made over the internet with an electronic signature would be eligible for public matching funds if: (1) a certified statement was provided stating that a verification process performed by the credit card company is in place; (2) the contributor certifies that they are the owner of the card or an authorized representative of the contributing entity; and (3) a separate receipt or confirmation is provided for each contribution. Additionally, AO 01-2016 advised that the requirements set forth in a previous advisory opinion (AO 04-2001), must also be satisfied for a contribution with an electronic signature to be eligible for public matching funds.

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.



LAW DIVISION continued

REVIEW AND INVESTIGATION SECTION (R&I)

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



*Standing from left: Lovinsky Joseph, Shreve Marshall, Brett Mead, Christopher Guear, and Matthew Krinsley.
Sitting from left: Tamico Flack, Pam Kinsey, Laura Jurkiewicz, and Danielle Hacker.*

In calendar year 2016, R & I closed 29 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. Of the 29 cases that were closed, 17 were referred to the Legal Section for the issuance of a complaint. Each of these investigations recommended issuance of multi-count complaints which could result in the imposition of substantial monetary penalties.

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.

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 can not be filed by facsimile.

The R & I staff received and responded to a total of 85 Requests for Investigation in calendar year 2016. The Commission did not have jurisdiction over six requests, eight requests were received from an anonymous source, and 16 requests were handled administratively by staff.

LAW DIVISION continued



The Commission also initiates investigations as a result of staff's review of reports filed with the Commission and as a result of a news account that has appeared in a newspaper or on a website. In calendar year 2016, the Commission determined to open a total of 46 new investigations. The Commission does not release any information to the public indicating how it may have learned of an alleged 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 entities subject to the Campaign Act to identify information that may not have been reported. In calendar year 2016, the section issued 130 subpoenas.

ADMINISTRATIVE HEARING AND 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.

CONCLUSION

The R & I Section strives to do its best to meet the challenge of being responsive to and serving the members of the public to the best of its ability. The R & I Section also continues to provide assistance to other law enforcement agencies including the FBI, the Division of Criminal Justice, and the U.S. Attorney's office.

CONFIDENTIAL REQUEST FOR INVESTIGATION STATE OF NEW JERSEY NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION P.O. Box 185, Trenton, NJ 08625-0185 (609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532) Website: www.elec.state.nj.us		FORM RFI
		FOR STATE USE ONLY
The New Jersey Election Law Enforcement Commission ("ELEC") investigative authority is limited to violations of the Campaign Contributions and Expenditures Reporting Act, <u>N.J.S.A. 19:44A-1 et seq.</u>, the Personal Financial Disclosure Act, <u>N.J.S.A. 19:44B-1 et seq.</u>, and the Legislative and Governmental Processes Activities Disclosure Act, <u>N.J.S.A. 52:13C-18 et seq.</u> ELEC does not have jurisdiction over the conduct of an election, the balloting process, or the misapplication or use of Government (taxpayer) funds for campaign purposes.		
Person(s) Bringing Request: (Print or Type)		
Name: _____	Daytime Phone: () _____	
Address: _____	Evening Phone: () _____	
Name: _____	Daytime Phone: () _____	
Address: _____	Evening Phone: () _____	
Name: _____	Daytime Phone: () _____	
Address: _____	Evening Phone: () _____	
Individual/Entity that is the subject of this request for investigation; (Please list all persons/entities that are the subject of your request for investigation.)		
Candidate or Committee/Entity Name	Office Sought/Election type and year	Successful (select one)
_____	_____	Yes No
_____	_____	Yes No
_____	_____	Yes No
_____	_____	Yes No
_____	_____	Yes No
Election District/Municipality _____	County _____	
Indicate which of the above entities files with ELEC _____		

New Jersey Election Law Enforcement Commission Page 1 of 3 Form RFI Revised Jan, 2016



INFORMATION TECHNOLOGY DIVISION

INFORMATION TECHNOLOGY DIVISION (IT)

It has been another busy year for ELEC's IT Division.

Starting in 2014 with an appropriation from the Legislature, ELEC began to upgrade its aging computer systems. The majority of this overhaul was completed in 2016. From hardware to software, ELEC undertook the task to modernize its mission critical programs and applications to current standards and technologies. Due to the constant evolution of Microsoft's operating system, keeping pace with these changes is always challenging.



From left: Brian Robbins, Peter Palaitis, Elias Amaya, Maryanne Garcia, Kim Roman, Anthony Giancarli, Aydan Altan, Ken Colandrea, and Lou Solimeo.

Along with upgrading ELEC's existing software arsenal, the Commission also launched into production the Quarterly Governmental Affairs Agent (QGAA) electronic filing web application. Lobbying firms, law firms, public relations firms, and others that employ or engage a Governmental Affairs Agents, as well

as Represented Entities, have been filing annual reports electronically with the Commission since 2013. In 2016, Governmental Affairs Agents were able to electronically file their quarterly Q4 reports for the first time.

The web application was designed to be straightforward and easy to use. Filers have the ability to save their information in their electronic report until they are ready to file. They also can keep track of their lobbying activities in a spreadsheet and later upload the information into their reports.

Besides making it easier for filers, the new application also offers tremendous new search capabilities that enable quick access to lobbying information for the regulated community, the media, academic researchers and the general public. By entering a bill number, a subject area, or other search parameters, users can easily retrieve detailed information on lobbying activity.

One of ELEC's ongoing successful programs is the R1 Electronic Filing System known as "REFS." Legislative candidates and joint candidate committees raising or spending over \$100,000 are required to file electronically with the Commission. First unveiled in 2001, this program originally was written in Visual Basic, a computer programming language that is being phased out. In October, a new version of the REFS application developed within the .Net programming framework was released. As a result, the overhauled R1 program now benefits from the latest advancements in cybersecurity.

INFORMATION TECHNOLOGY DIVISION *continued*

Filing entities are able to manage their receipts and expenditures while maintaining a database of contributor information. The application gives campaigns the ability to keep track of aggregate contributions, as well as many other features that enable them to easily fulfill their filing requirements. The program also supports Microsoft's "ClickOnce" technology which allows the application to check and install new updates to the software automatically as they become available.

The Commission is currently working on a REFS-like program for Continuing Political Party (CPC) committees. Called the R3 Electronic Filing System or "REFS3," this long-awaited application will give CPC's the ability to easily file their reports via the Internet. Since many of these committees use third party software to management their affairs, REFS3 will include a software option to allowing importing of data. This feature will avoid the nuisance of being forced to enter the same data twice.

The Commission's mission statement embodies its purpose- to inform the electorate. In doing so, the Commission has been diligently working on revamping its website, which first went live in 1997. Over those 20 years, the current website has grown to include much needed information not only for those with filing requirements, but also for the general public and press. However, the text-heavy layout of the site has made it somewhat cumbersome to use.

Most people visit a website because they need or want information. With this in mind, the Commission is redesigning its website. The main design consideration of the homepage will be driven by the idea of finding information quickly and easily. Making navigation simple and consistent will enable people to locate what they want fast.

The majority of people now search the internet using their cell phones and tablets. ELEC's new website will conform to responsive web design standards that will adjust the size and layout of the site to accommodate these devices. Moreover, the site will be more secure. Cyber-attacks targeting governmental sites have become commonplace. It is important that individuals visiting the ELEC website are protected from these hazards.

DATA ENTRY SECTION



From left: Shirley Bryant, Brenda Brickhouse, and Helen Kelly.

ELEC's data entry staff performs a very valuable function, keying information from hundreds of reports into the database for later retrieval and analysis. Data is entered into the system from all active campaigns, as well as, information from the big six, county and municipal political party committees, Legislative Leadership, State, county and municipal political party committees.

Data Entry also processed 1,628 Registration and PIN applications. Anyone desiring to file an electronic report with ELEC must apply for a Registration and PIN number. In turn, they will use their Registration and PIN numbers to electronically sign a report.



HOMEPAGE

search

[njhome](#) | [Services a to z](#) | [department/agencies](#) | [faqs](#)



STATE OF NEW JERSEY

NEW JERSEY CAMPAIGN FINANCING AND LOBBYING DISCLOSURE

ELECTION LAW ENFORCEMENT COMMISSION



[Home](#) [Public Information](#) [Candidates & Committees](#) [Lobbying](#) [Pay-to-Play](#) [Legal Resources](#) [About ELEC](#)

ELEC Online
Electronic Filing
View A Report
Lobbyists Annual Reports
Report Disclosure Dates
Contribution Limits Chart
Search the Database
Gubernatorial Public Financing
Subscribe to ELEC News
Related Sites
News Room
ELEC-Tronic Newsletter
Publications
ELEC Statutory Authority
Website Help



Issue 94, April 2017



Commission Meeting & Minutes

The New Jersey Election Law Enforcement Commission will have a meeting at 11:00 a.m. on Tuesday, April 18, 2017, at the Commission's office at 28 West State Street, 12th Floor, Trenton, New Jersey.

News Releases

For the third consecutive year, political contributions made by public contractors declined in 2016 to \$8.1 million, the second lowest total since pay-to-play contribution restrictions began, according to an Election Law Enforcement Commission (ELEC) analysis of annual disclosure reports filed recently. [Read further>>](#)

On Monday, April 17, 2017 at 10:00 a.m., Personal Financial Disclosure Statements filed by gubernatorial and legislative candidates who are participating in the 2017 Primary Election will be available for public inspection on ELEC's website at www.elec.state.nj.us. [Read further>>](#)

On Monday, April 17, 2017 at 10:00 a.m., the first quarterly report (Form Q-4) filed by Governmental Affairs Agents, filed on or before April 10, 2017, will be available for public inspection on the New Jersey Election Law Enforcement Commission's (ELEC) website (www.elec.state.nj.us) and at 28 West State Street, 13th floor, in Trenton, NJ. [Read further>>](#)

The New Jersey Election Law Enforcement Commission (ELEC) today selected NJTV Public Media of NJ/ NJ Spotlight, and the William J. Hughes Center for Public Policy at Stockton University, as the 2017 gubernatorial primary election debate sponsors. [Read further>>](#)

ELEC Connect

Read the regularly updated [ELEC Connect](#) blog for the latest articles, press advisories and newsletters from the New Jersey Election Law Enforcement Commission.

For ELEC Filers

Browse for information about filing requirements, access forms, manuals, electronic filing options, contribution limits, training schedules and more.

Pay-to-Play

Summary information concerning Pay-to-Play laws. [Search and View](#) Business Entity Annual Statements.

About ELEC

Find information about ELEC, members and key staff, meeting and minutes, ELEC publications, press releases, agency news, related sites, and how to contact us. Browse through the "White Paper" series.

Public Information

View reports and search the campaign finance database. View Summary Expenditure data from governmental affairs agents' quarterly and annual reports and much more.

Legal Resources

Search and view complaints and final decisions, advisory opinions and regulations. Use the fill-in advisory opinion and investigation request forms

Spotlight On

Gubernatorial Election Debate(s)
Sponsor Application

NJTV NEWS
Election Law Enforcement
Commission Meets for First Time
in a Year

NJTVNEWS

 The Election Law Enforcement Commission on March 27, 2017 voted 3-0 to file a Notice of Proposed Readoption for its rules as N.J.A.C. 19:25. The new expiration date is September 21, 2017. To read the full notice of readoption, go here »

2017 Cost Index Report

Jeff Brindle Talks About
Super PACs on
MY9NJ.com



Hours of Operation

Commission: 9:00 am - 5:00 pm

Monday - Friday

Public Room: 9:15 am-4:45 pm

Monday - Friday



Statewide: [Privacy Notice](#) | [Legal Statement](#) | [Accessibility Statement](#) 

©2017 State of New Jersey

New Jersey Election Law Enforcement Commission, P.O. Box 185, Trenton, NJ 08625-0185

Tel. (609) 292-8700 or Toll Free within NJ 1-888-313-ELEC (3532)

[Contact Us](#) | [Site Map/Search](#) | [Employment Opportunities](#)

FINANCE AND ADMINISTRATION DIVISION

FINANCE AND ADMINISTRATION DIVISION

During 2016, 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 copier, fax 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.



*Front Row: Jelitza DeLeon, Elaine Salit, and Valencia Daly.
Back Row: Judy Sheridan, Aracelis Brown, Christopher Mistichelli, Tamika McCoy, and Christine Clevenger.*

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 2017 Direct State Services adjusted appropriation of \$4,510,000 was \$165,000 more than the fiscal year 2016 Direct State Services adjusted appropriation. This difference is due to an increase in OIT's Cost Allocation Recovery charges which ELEC was unable to absorb without the additional funding. Thus, the Finance and Administration Division staff continued to work to ensure the accurate budgeting and management of expenditures.

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 in the last couple of years, the Finance and Administration Division staff successfully worked with the Civil Service Commission and the Governor's Office during 2016 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. The Finance and Administration Division staff also successfully



FINANCE AND ADMINISTRATION DIVISION continued

worked with the Civil Service Commission and the Governor's Office throughout 2016 to facilitate the hiring of temporary staff necessary to administer the high-profile Gubernatorial Public Financing Program for FY 2017 and FY 2018.

OTHER RESPONSIBILITIES

In addition to handling fiscal and personnel issues for the Commission, the Finance and Administration Division is also responsible for general administrative functions, such as reception, mail processing, overseeing machinery and equipment maintenance, and acting as the Commission's liaison with the building management company. During 2016, 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 these day-to-day administrative issues.

The Finance and Administrative Division has worked in conjunction with the other Divisions of the Commission, the New Jersey Division of Property Management and Construction as well as vendors to facilitate and coordinate the Commission's upcoming move. Some of the major responsibilities in 2016 included the design of the new floor plan and the selection of new furnishings.

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. During 2016, the Division operated within the parameters established by the Department of Treasury and the Governor's Office, and continued to handle all responsibilities effectively.

In FY 2018, the Commission anticipates an appropriation of \$4,510,000 based on the Governor's Budget Message.

COMPARISON OF FISCAL YEARS 2016 AND 2017 ORIGINAL DSS APPROPRIATIONS

	<u>Fiscal-2016 Appropriation</u>	<u>Fiscal-2017 Appropriation</u>
Personnel	3,912,000	3,957,000
Printing & Supplies	45,000	45,000
Travel/Training	1,500	1,000
Telephone	48,000	40,000
Postage	29,000	29,000
Data Processing	225,000	240,000
Professional Services	37,000	40,000
Other Services	20,000	20,000
Procurement Efficiency	0	1,000
Assessment		
Miscellaneous Services	0	5,000
OIT	25,500	130,000
Maintenance for Equipment	2,000	2,000
Total Operational	\$4,345,000	\$4,510,000

2016 EVALUATION DATA

Disclosure Reports (Total).....	30,915
Campaign & Quarterly.....	21,981
Lobbyist	6,431
Pay-to-Play	2,420
Professional Campaign Fundraiser	83
Investigations.....	29
Complaints.....	93
Public Assistance Requests	10,877
Photocopies	19,236
Fine Collection.....	\$121,915
Lobbying Annual Fees	\$414,575
Campaign Fundraiser Annual Fees.....	\$19,000



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. McNanny, 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 4-11) - Deceased 11-13-2011
Jerry Fitzgerald English, Commissioner
(Retired 3-15-11)

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
Stephen M. Holden, Commissioner
Eric H. Jaso, 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