

# 2002 Annual Report

N.J. Election Law Enforcement  
Commission



May, 2003



# MISSION STATEMENT

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## Commission's Office

New Jersey Election Law Enforcement Commission  
28 West State Street, 13<sup>th</sup> Floor  
Trenton, New Jersey

(609) 292-8700

The Election Law Enforcement Commission is dedicated to **administering “The New Jersey Campaign Contributions and Expenditures Reporting Act,” “The Gubernatorial, Legislative Disclosure Statement Act,”** various portions of the **“Legislative Activities Disclosure Act,”** and various portions of the **“Uniform Recall Election Law.”**



Clockwise: Chair Ralph V. Martin, Vice Chair Paula A. Franzese, Executive Director Frederick M. Herrmann, Deputy Director Jeffrey M. Brindle, Legal Director Nedda G. Massar, Counsel James P. Wyse, Commissioner Peter J. Tober, and Commissioner Susan S. Lederman.



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## THE COMMISSION

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### Ralph V. Martin, Chair

Ralph V. Martin, retired Superior Court Judge serving Passaic County, and now a practicing attorney in Wayne, New Jersey, was appointed to fill an unexpired term on the Commission in December, 1995, and was appointed Chair in February, 1996. He is serving his third term on the Commission.



Ralph V. Martin Chair

While a Superior Court Judge, the Chair was involved in all divisions of the Court, with most of his service occurring in the Civil Division.

A graduate of Rutgers University with a B.S. and M.S., Judge Martin earned his J.D. from Rutgers University. He was subsequently admitted to the New Jersey and U.S. District Courts and the U.S. Supreme Court.

The Chair is a member of the Passaic County and State of New Jersey Bar Associations. He has a legal interest in complex litigation and media delivery issues. Judge Martin chaired the Supreme Court Media Committee for an extensive period of time.

A veteran of the U.S. Army, he served as a Nuclear Guided Missile Officer from 1951-1955 (14th Ordnance Battalion). The Chair is married to the former Ida K. Kuiphoff. They have four sons.

### Paula A. Franzese, Vice Chair

Paula A. Franzese is serving her second term on the Commission. Appointed in 1996, Commissioner Franzese is Professor of Law at the Seton Hall University School of Law, and has taught at Columbia University, Fordham University and the University of Parma, Italy. She is a nationally recognized lecturer, President of the Justice Resource Center, and commentator for Court T.V.



Paula A. Franzese, Vice Chair

A graduate of the Columbia University School of Law and Barnard College, Columbia University, Vice Chair Franzese is a member of the New Jersey and New York bars and is admitted to practice in the U.S. District Courts for the Southern and Eastern Districts of New York and the District of New Jersey.

A recipient of numerous awards and honors, including being named Professor of the Year for an unprecedented six times, Woman of the Year by various organizations, and Exemplary Teacher by the American Association of Higher Education, Vice Chair Franzese is the author of two books as well as numerous publications and papers.

Vice Chair Franzese has been appointed to the Blue Ribbon Advisory Commission to the Council to Rebuild Lower New York. She is the Founder of the New Jersey Mentor Program, which provides inner-city youth with the opportunity to participate in the legal system and with access to role models within the profession. She is married to Michael R. Rosella. The couple has two children, Michael Luigi who is 9, and Nina Paula, who is 6.



## THE COMMISSION continued

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### **Susan S. Lederman, Ph.D., Commissioner**

Susan S. Lederman, appointed to the Commission in 2000, is a Professor of Public Administration at Kean University. She was the founding Executive Director of the Gateway Institute for Regional Development and has served as Director of Kean's Master of Public Administration Program. She has been on the faculty at the University since 1977.

#### Commissioner

Lederman is also a past president of the League of Women Voters of the United States (1990-1992) and served as the president of the New Jersey League of Women Voters from 1985 to 1989. She chaired the Local Government Expenditure and Finance Task Force of the New Jersey State and Local Expenditure and Revenue Policy Commission from 1985 to 1988 and also was a member of the Local Expenditure Limitations Technical Review Commission.

Dr. Lederman holds leadership positions in various civic organizations, notably, on the executive committee of New Jersey Future, on the Board of Directors of the Regional Plan Association, and as secretary of the New Jersey Public Interest Law Center. She was an elected member of the Common Cause National Governing Association (1994-2000). In 1998, the Commissioner also served on Governor Christine Todd Whitman's Property Tax Commission. She is co-author of the book, Elections in America: Control and Influence in Democratic Politics. Commissioner Lederman also served on the Supreme Court of New Jersey Disciplinary Oversight

Committee as a public member and on the Board of Directors of the Public Education Institute. She is a former president of the Northeastern Political Science Association and has also served as a director of the Alliance for Health Reform; on the Council on New Jersey Affairs, Princeton University; and on other boards and commissions. In 2001, Dr. Lederman was the recipient of the Public Interest Law Center's Eric Neisser Public Service Award for her lifelong dedication to serving the greater good of our community.



Susan S. Lederman, Commissioner

Commissioner Lederman holds an A.B. degree in Political Science from the University of Michigan and an M.A. and Ph.D. in Political Science from Rutgers, The State University of New Jersey. She was born in Bratislava, Slovakia, and immigrated with her parents to the United States in 1948. Her husband, Peter, and she reside in New Providence, New Jersey, and have two grown children, Stuart of Madison, New Jersey and Ellen of Wyssington-near-Nayland in the United Kingdom.



## THE COMMISSION continued

### Peter J. Tober, Commissioner

Peter J. Tober, appointed to the Commission in January 2002, served as Senior Assistant Counsel to former Governor Christine Todd Whitman and former Acting Governor Donald T. DiFrancesco.



Peter J. Tober, Commissioner

An advisor to the former governors on election, ethics, banking, and insurance issues, Commissioner Tober served as the liaison to the New Jersey State Senate.

Commissioner Tober is a graduate of Cornell University, where he majored in economics and government, and of Hofstra University School of Law, where he was Associate Editor of the Hofstra Law Review and a Moot Court Judge.

Admitted to the Bar in New Jersey and New York, Commissioner Tober began working for Wilentz, Goldman and Spitzer, P.C. in 1992.

An associate on the complex commercial litigation team, he served as lead counsel on jury and non-jury trials and specialized in partnership disputes, restrictive covenants, antitrust, and intellectual property law.

Commissioner Tober is now of Counsel to the firm of Kelly and Brennan, P.C.

### Frederick M. Herrmann, Ph.D., Executive Director

Frederick M. Herrmann has been the executive director of the New Jersey Election Law Enforcement Commission for nineteen years. He



Frederick M. Herrmann, Executive Director

received an A.B. (1969) from the University of Pennsylvania and an M.A. (1970) and a Ph.D. (1976) from Rutgers, The State University of New Jersey. Dr. Herrmann is also an honor graduate of the United States Army Quartermaster School at Fort Lee, Virginia.

The author of many publications about history and government, he is a frequent speaker at various forums inside and outside of New Jersey. Dr. Herrmann has also appeared as a campaign financing and lobbying law expert on radio and television. Currently, he is the book review editor of the Guardian and on the editorial board of Public Integrity. He is also on the Board of Trustees for the Friends of the State House.

Once a teacher at Rutgers and Kean Universities as well as a staff member of the New



## THE COMMISSION continued

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Jersey Legislature, he has also served on the Organizational Planning and Coordinating Committee of the Council of State Governments and has been the President of the Council on Governmental Ethics Laws (COGEL), an international organization, and the Chairperson of the Northeastern Regional Conference on Lobbying (NORCOL). Executive Director Herrmann currently serves on the COGEL Awards and Publications Committees.

At its regional meeting in 2001, NORCOL presented Dr. Herrmann with its 20<sup>th</sup> Anniversary Service Award for his outstanding efforts on behalf of and contributions to the organization. In 1993, he was the recipient of the Annual COGEL Award for his continued efforts to promote the highest level of ethical conduct among governmental officials and candidates for public office in the international arena. He has met often with dignitaries from various jurisdictions throughout the world to assist in the developing and drafting of statutes and regulations.

### **James P. Wyse, Counsel**

James P. Wyse was selected to be the Commission's Counsel in 1994 and began serving in that capacity in January, 1995.



James P. Wyse, Counsel

Mr. Wyse is an attorney with the firm of Herold and Haines, P.A. in Warren New Jersey who specializes in the areas of corporate and commercial law, real estate, environmental law, and estate planning.

Mr. Wyse, admitted to practice in New Jersey and before the United States Court of Appeals for the Third Circuit, has argued cases in that Court and before the New Jersey Supreme Court.

As Counsel for a number of national, State, and local land trust organizations, Mr. Wyse has developed special expertise regarding conservation and agricultural easements and innovative land preservation techniques.

Mr. Wyse received a B.A. degree from Bucknell University and J.D. degree with honors from the Rutgers University School of Law.





## COMMISSION STAFF

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### **Executive**

Frederick M. Herrmann, Ph.D., *Executive Director*  
Jeffrey M. Brindle, M.A., *Deputy Director*  
Nedda G. Massar, Esq., *Legal Director\**  
Elbia L. Zeppetelli, *Administrative Assistant*  
Steven Kimmelman, M.A., *Research Associate*

### **Administration**

Barbra A. Fasanella, *Director*  
Donna D. Margetts, M.A. *Personnel Officer*  
Elaine J. Salit, *Fiscal Officer*  
Debra A. Kostival, *Principal Receptionist*  
Irene Comiso, *Senior Receptionist*

### **Compliance and Information**

Evelyn Ford, Esq., *Director*  
Linda White, *Associate Director*  
Kimberly Key, *Associate Compliance Officer*  
Christopher Guear, M.A., *Assistant Compliance Officer*  
Titus Kamal, *Assistant Compliance Officer*  
Nancy Fitzpatrick, *Assistant Compliance Officer*  
Lauren Yarosheski, *Assistant Compliance Officer*  
Desiree DeVito, *Public Room Assistant*  
Monica Triplin-Nelson, *Technical Assistant*  
Elizabeth A. Michael, *Technical Assistant*  
Maria Concepcion, *Sr. Clerk*  
Samira Wood, *Sr. Clerk*

### **Legal**

Gail Shanker, Esq., *Associate Legal Director*  
Maria Novas-Ruiz, Esq., *Assistant Legal Director*  
Michelle Levy, Esq., *Assistant Legal Director*  
Ruth Ford, *Legal Secretary*

Carolyn Neiman, *Director*  
Kim Vandegrift, *Assistant Systems Administrator*  
Anthony Giancarli, *Assistant Systems Administrator*  
Brian Robbins, *Assistant Systems Developer*  
Peter Palaitis, *Help Desk Technician*  
Louis Solimeo, *Computer Assistant*  
Brenda A. Brickhouse, *Data Entry Supervisor*  
Shirley R. Bryant, *Senior Data Entry Technician*  
Nelly R. Rosario, *Associate Data Entry Technician*  
Barbara Counts, *Associate Data Entry Technician*  
Pamela Kinsey, *Associate Data Entry Technician*  
Darlene Kozlowski, *Associate Data Entry Technician*  
Helen Kelly, *Associate Data Entry Technician*

### **Review and Investigation**

Carol Hoekje, Esq., *Director*  
Shreve E. Marshall, Jr., *Associate Director*  
Brett Mead, *Associate Review Officer*  
Amy Davis, *Assistant Review Officer*  
Renee Cardelucci, *Legal Secretary*

### **Public Financing**

Nedda G. Massar, Esq., *Director\**  
Helen Staton, M.P.A., *Public Finance Analyst*

\*Serves in both positions

### **Systems Administration**



## MESSAGE FROM THE CHAIR

It is with enormous pride in my fellow commissioners and our staff that I submit this report to the members of the Legislature. Over last year the Commission built upon its strong reputation for fairness, integrity, and effectiveness in administering New Jersey's campaign finance and lobbying disclosure laws.

During 2002, despite budgetary restraints, the Commission continued to deliver current campaign financial information via the Internet to homes, libraries and offices throughout New Jersey. Further, state-of-the-art scanning technology enabled the Commission to disclose campaign financial reports within 48 hours of filing



Ralph V. Martin Chair

deadlines. These reports can be downloaded by citizens wishing to review the financial activity of candidates, political parties, and legislative leadership committees. Moreover, within two to three weeks of filings, the public can undertake extensive contribution searches related to contributions made to legislative and gubernatorial candidates.

electronic filing component allowing gubernatorial and legislative candidates to file reports electronically is being modified for the purpose of encouraging more candidates for the Legislature to file in this manner. Future plans are for the Commission to make this service available for all filers.

The Commission is proud of its automation system. Yet, the accomplishments in this area have not altered its commitment to personal service. Any person phoning the Commission, for example, is greeted by friendly receptionists who personally direct calls to the appropriate staff person. A throwback to a simpler time, this personalized attention assures members of the public that their call is important and to be responded to quickly. Unusual in this age of high tech, the Commission believes this service sets the correct tone for the agency. By its ability to blend new technology with old fashioned personalized service, the Commission continues to maintain its reputation as one of the best ethics agencies in the country.

Consistent with the Commission's policy of fulfilling its mission of disclosure through personalized attention, the Compliance Section assisted the public and press and undertook an aggressive public education program. In 2002, staff helped many treasurers, candidates, and lobbyists by conducting workshops and outreach efforts. Moreover, the Compliance staff processed approximately 24,403 reports and made 84,015 copies of reports in response to requests for information. Due to the increased use of the Internet requests for copying declined again in 2002. Nevertheless, staff continued to provide this service.

By its ability to blend new technology with old fashioned personalized service, the Commission continues to maintain its reputation as one of the best ethics agencies in the country.

Though fiscal restraints may temporarily halt major enhancements to the Commission's highly touted computer initiative, the Commission promises to make smaller, yet significant, advances in its information-technology efforts. For example, the



## MESSAGE FROM THE CHAIR *continued*

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As the result of this Section's efforts, the compliance rate continued to surpass 90 percent in 2002. Finally, the Compliance Section adapted to the new requirements of the Open Public Records Act (OPRA) quite easily in that its activity in the area of disclosure has historically been recognized as one of the best.

Over the years, the Commission has earned a national reputation for its analysis of trends in campaign financing and lobbying. Again last year the Commission provided analytical data on the financial activity of candidates, political parties and lobbyists. Further, White Paper Number 15, School Board Campaign Financing, written by Deputy Director Jeffrey M. Brindle, was published last year to much media acclaim.

In 2002, the Commission enforced the campaign financing and lobbying laws in an effective manner. Major cases were adjudicated and complaints issued. The Legal Section was busy researching and writing advisory opinions and proposed regulatory guidelines. During the past year, the Legal Section drafted four regulatory proposals that were adopted and issued 96 complaints against candidates and other political entities in violation of the Campaign Act.

The Review and Investigation Section completed 37 investigations resulting in penalty actions that served as an important compliance tool. This activity resulted in several significant fines against serious violators of the campaign financing and lobbying acts.

Consistent with past practice, the Commission's experienced Executive Director, Frederick M. Herrmann, Ph.D., served the cause of governmental ethics with the same sincerity and diligence that has been the hallmark of his tenure as the administrative head of the agency. Because of his

efforts and those of a fine staff, the Commission has maintained its status as a recognized leader among national ethics agencies and a champion of integrity in government.

During 2002, Executive Director Herrmann spoke to numerous groups and media outlets throughout New Jersey, served on the editorial Board of Public Integrity, served as book review editor of the Guardian, and participated in the Northeastern Regional Conference on Lobbying. He also authored the fifth edition of the COGEL Campaign Financing and Lobbying Bibliography and Lobbying in New Jersey 2002. As always, the Executive Director performed his job in an admirable and respected manner.

Finally, on behalf of the Commission, I would like to extend my heartfelt appreciation to Gregory E. Nagy, the Commission's long time Legal Counsel, who recently retired. Mr. Nagy has been a nationally renowned lawyer in the field of campaign financing law. He performed splendidly for the Commission through the years. His expertise, guidance and wise counsel will be missed.



## EXECUTIVE DIRECTOR'S REMARKS

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The Year 2002 had some classic good news and bad news for those concerned citizens in New Jersey interested in campaign finance reform. On



Frederick M. Herrmann, Executive Director

June 24, the Senate passed by wide margins two significant pay-to-play contracting bills. S-978, sponsored by Senator Peter A. Inverso (R – District 14) and Senator Gary J. Furnari (D – District 36) and championed by Common Cause, severely limits campaign contributions from large state contractors. It also requires annual reporting to the Election Law Enforcement Commission (ELEC) of the allowable contributions. The second bill, S-1387, sponsored by Senator Walter J. Kavanaugh (R – District 16) and Senator Byron M. Baer (D – District 37) and based on a comprehensive study by the State Commission of Investigation, provides that persons influencing state contracts file with ELEC as lobbyists and all lobbyists be identified on campaign finance reports when they make contributions. Nearly six months later on December 12, Assemblyman Thomas H. Kean, Jr. (R – District 21), in an action described by the Press (Atlantic City) as “a move that had not been attempted successfully in more than a decade,” asked the Speaker of the General Assembly to call for a voice vote to have Kean’s pay-to-play bill relieved

from the Assembly State Government Committee. The Lower House by a unanimous vote moved the bill, A-427, co-sponsored by Assemblywoman Loretta Weinberg (D- District 37), out of the committee. Consequently, 2002 saw great, bipartisan progress in the promotion of a reform agenda in the Legislature.

On the other hand, there was also bad news. The Commission continued to suffer along with the rest of government during hard times and lost all of its computer development funding. ELEC will soon need help not only to maintain and upgrade its system to assure that it remains operational but also to provide ongoing computer staff training to guarantee the most effective use of its information technology resources. Moreover, the transitioning of the Commission’s current electronic filing program from discs to the Internet will cost a substantial amount of money. Additional staff will be needed to serve in a “help desk” capacity to support this necessary change. The required moneys will probably have to wait until the State’s overall fiscal situation improves.

More unfortunately, the addition of possible new responsibilities exciting as they may be combined with the loss of computer funding is set in the context of an underlying need for more vigorous administration and enforcement of the Campaign Act as it is currently written. Senator William L. Gormley (R – District 2) correctly argued in 2001 as reported by the Press (Atlantic City) that ELEC “must be provided the tools necessary to make sure the State’s campaign finance laws are enforced and that the public has access to information about the candidates running for public office.”



## EXECUTIVE DIRECTOR'S REMARKS continued

The dynamic growth of campaign financing and lobbying activity (particularly at the municipal and school board levels), more expansive disclosure requirements enacted during the Nineties, and Internet disclosure are the basis of a developing concern. More reform without accompanying empowerment would not be a hopeful strategy for the future.

Booming spending in local elections is driving the need to focus more of ELEC's resources at the grassroots level. In the past decade, the Commission's White Paper Number 14, Local Campaign Financing, found that spending on municipal

More reform without accompanying empowerment would not be a hopeful strategy for the future.

elections had increased by almost 60 percent. School board election spending, meanwhile, had

grown by an astounding 215 percent. There are 566 municipalities and 597 school districts that hold elections in New Jersey. Moreover, there are 1,100 municipal political party committees. ELEC receives about 25,000 reports a year from its filing entities. In 1999, the paper reported that about 60 percent of campaign spending was local. Of the \$43 million spent, \$18 million was for the General Assembly election while \$25 million was for local elections.

New laws enacted during the Nineties greatly increased the Commission's workload. Contribution limits were established for all candidates not only those running for Governor. Contributors now had to disclose their occupations and employers as well as their mailing addresses. PAC registration was required, and candidates had to report quarterly in non-election years. Campaign communications needed to contain a political

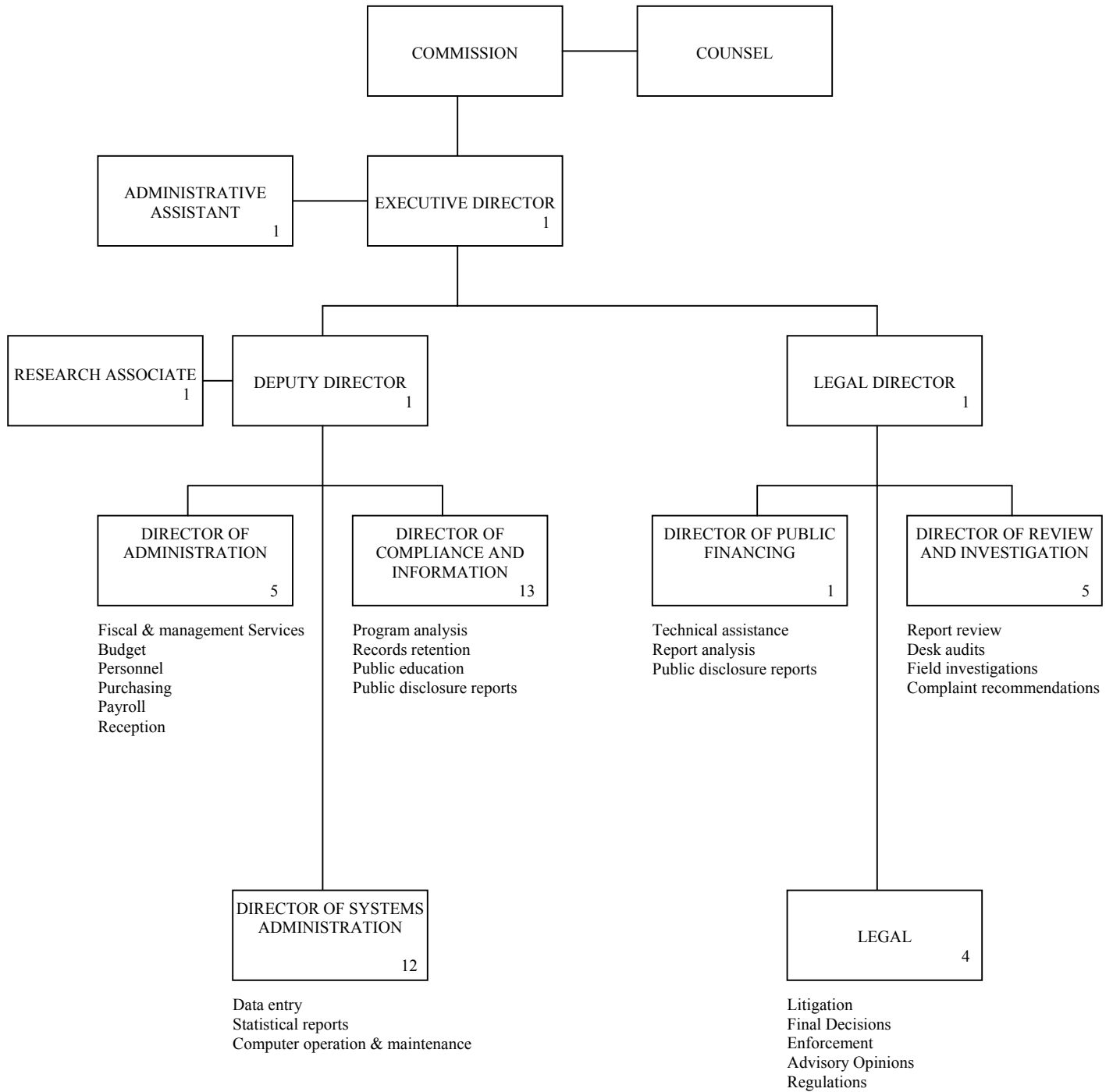
identification statement, and financial disclosure became an essential element of recall elections.

The placing of all candidate reports on the Internet vastly heightened the need to make sure that they are all adequately reviewed for accuracy not only for the protection of the public but also for the protection of the candidates. Most reporting errors, especially at the local level, are inadvertent and are caused by a lack of understanding of the law not by a willful attempt to evade it. Early detection of errors would provide better disclosure for the public. It would also reduce the legal exposure of those candidates who are making honest mistakes.

The simple truth is that ELEC's resources are no longer adequate for monitoring 1,200 local elections as well as gubernatorial and legislative ones especially in a climate in which the Commission may have even more to do and less with which to do it. When the State's economy does begin to improve, it would be good for all New Jerseyans to keep in mind the words of a citizen activist to ELEC during a 1995 hearing. She simply stated that "the first expense of government should be to maintain the integrity of the democratic process." Appropriating more funds to ELEC for: replacing lost computer resources, creating a local contributions and expenditures database, providing a more adequate review of local reports, and running an outreach program to assist often uninformed local candidates and committees in complying with their filing responsibilities would go a long way toward fulfilling her heartfelt expression of how we ought to be governed. Over nearly three decades, New Jersey's elected State leaders have supported one of the strongest campaign finance regulatory systems in the nation. Its maintenance and constant improvement will be a continuing legacy to future generations of New Jerseyans.



# TABLE OF ORGANIZATION





## ELEC OVERVIEW

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### 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

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

### EXECUTIVE DIRECTORS

1973-1976	David F. Norcross
1976-1981	Lewis B. Thurston, III
1981-1984	Scott A. Weiner
1984-present	Frederick M. Herrmann

### COUNSELS

1973-1994	Edward J. Farrell
1994-present	James P. Wyse

### CONSULTANT

1973-1978, 1982, 1986-1988	Herbert E. Alexander
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## LEGISLATIVE REVIEW & RECOMMENDATIONS

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The Commission offers the following recommendations for new or amended legislation based on its past experience with the Campaign Reporting Act, other laws it administers, its



Jeffrey M. Brindle, Deputy Director

administration of the 2001 gubernatorial public financing program, and two gubernatorial public financing hearings.

### **Gubernatorial Public Financing**

- Require that if a contribution is delivered to a gubernatorial campaign by any person other than a member of the gubernatorial candidate committee, a practice referred to as “bundling,” the publicly-financed gubernatorial candidate be required to report the identity of the person who delivered the contribution.
- Eliminate the expenditure limit of a publicly-financed gubernatorial candidate who faces a non-publicly financed candidate spending in excess of the expenditure limit.

- Include funds in the Commission’s public financing budget specifically for the purpose of advertising the mandatory gubernatorial debates in New Jersey newspapers.
- Eliminate the gubernatorial spending qualification threshold.
- Conform the penalties for gubernatorial violations to equal the penalties for campaign reporting violations.
- Increase the number of required debates for publicly-financed candidates from two to three in the primary and general elections.
- Change the earliest date for a gubernatorial primary election debate from 48 to 44 days before the election and change the earliest date for a general election debate to October 1<sup>st</sup>.
- Modify the rounding provisions of the quadrennial cost adjustment process.
- Require disclosure of occupation and employer information for contributions from individuals in the aggregate in excess of the \$400 disclosure threshold on reports filed by an Inaugural event committee.
- Study the effectiveness of the gubernatorial ballot statement program to determine whether or not it is an effective means of communicating the candidates' messages to New Jersey voters and to recommend alternatives to the ballot statement program.

### **Campaign Reporting Act**

- Double the Commission’s operational budget to support better educational and enforcement activities at the local level.
- Provide sufficient funds in the Commission’s annual appropriation to purchase computer hardware, to update software, and to provide staff training on their use.





## LEGISLATIVE REVIEW & RECOMMENDATIONS continued

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- Prohibit contributions made directly from corporations and labor unions and permit only those contributions made through their voluntary employee political action committees.

Double the Commission's operational budget to support better educational and enforcement activities at the local level.

- Prohibit contributions from minors, that is from persons

under the age of 18.

- Make illegal in the private sector as well as the public sector the use of force, threats, a condition of employment, or financial reprisal to obtain a contribution.
- Reduce the annual contribution limit to 42 county political party committees from \$37,000 to \$25,000 to conform to the recently-reduced limit to the two State political party committees and four legislative leadership committees.
- Include in the definition of "candidate" all appointees to fill vacancies for elected offices.
- Prohibit a political committee or continuing political committee from containing in its name a candidate or officeholder.
- Create a public financing program for legislative elections.
- Require identification of all contributors who have been awarded or are seeking government contracts.
- Require identification of all contributors who are lobbyist organizations or legislative agents.

### **Lobbying Disclosure Act**

- Require reporting of "grassroots" or "astroturf" lobbying.

- Cap at \$250 the aggregate value of benefits in a calendar year that a legislative agent may pass to a legislator or State official for lobbying purposes.
- Require lobbyists to file quarterly rather than annual reports.
- Change the terminology of the lobbying law so that an organization or business that employs an individual to conduct lobbying activity on its behalf is referred to as a "client," and the individual conducting the lobbying activity is referred to as a "lobbyist."
- Conform the penalty provisions of the Lobbying Disclosure Act to those of the Campaign Reporting Act.
- Require reporting of contract lobbying.

### **Personal Financial Disclosure Act**

- Provide for uniform disclosure of gifts, reimbursements, and honoraria of over \$250 in a calendar year and require disclosure of their value and a description of the article if other than cash.
- Require reporting of the occupation and employer of individuals providing reportable benefits.
- Conform the penalty provisions of the Personal Financial Disclosure Act to the Campaign Reporting Act.



## LEGAL SECTION

The Commission is responsible for enforcement of the Campaign Contributions and Expenditures Reporting Act, the Lobbying Disclosure Act, the Personal Financial Disclosure Act, and the Uniform Recall Election Law. To assure

opinion that the Lobbying Act requires disclosure and reporting of expenditures for communications to support or oppose a “grant resolutions” pending before the State House Commission. In the other opinion, the Commission held that grassroots lobbying expenditures do not trigger reporting.



Left to right:: Gail Shanker, Maria Novas-Ruiz, Nedda G. Massar, Michelle Levy, and Ruth Ford

compliance with these laws and to enforce their reporting and disclosure requirements, the Legal Section prepares advisory opinions, drafts regulations, and issues civil complaints which may carry monetary penalties for violations.

To advise the public of its actions, the Commission promptly posts all Complaints and Final Decisions, Advisory Opinions, and regulations issued on the Commission’s web site.

### Advisory Opinions

Two opinions issued in calendar year 2002 responded to questions concerning the types of communication expenditures that trigger the disclosure and reporting requirements under the Lobbying Act. The Commission determined in one

Another advisory opinion concerned reporting requirements of a national political party. The Commission held that payments made by the national party committee to underwrite the legal expenses of its State party incurred in redistricting matters would constitute reportable in-kind contributions subject to the contribution limit.

### Regulations

The Commission actively uses its rulemaking authority to clarify statutory requirements and to provide guidance to filing entities and the public. During 2002, the Commission proposed and adopted regulations to implement the statutory changes to the contribution limits enacted in early 2002. These changes established limits on contributions to PACs and reduced the limit on contributions made to the two state political party committees and the four legislative leadership committees. Other new rules required legislative agents to wear badges with photographs, clarified reporting periods, addressed contribution limits applicable to joint candidates committees, required that exact copies of reports filed be kept by candidates and committee, and established requirements for making

The Commission actively uses its rulemaking authority to clarify statutory requirements and to provide guidance to filing entities and the public.



## LEGAL SECTION continued

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expenditures by debit card. The Commission also adopted rules concerning copying fees and release of documents to conform to the requirements of the Open Public Records Act.

### **Complaint Action**

The Commission is empowered by law to bring complaints proposing monetary penalties against violators of the Act. The civil complaint procedure is therefore a vital tool in obtaining compliance.

Beginning with an inventory of 56 complaint cases open as of the end of 2001, the Legal Section issued 96 new complaints during 2002, and closed 109 cases during the year, leaving a total of 43 cases open as of the beginning of 2003. Monetary penalties collected during 2002 totaled more than \$100,000. Sixty-nine complaints were brought against candidates who did not file any reports after being notified by the Commission. In this category were 41 cases in the 2001 general election, nine in the 2002 municipal election, and 19 in the 2002 primary election. These are relatively small numbers considering that in 2002 more than 5,500 candidates filed reports with the Commission. Most candidates filed correctly.

In addition to 69 nonfiler complaints, 27 complaints issued in 2002 were the result of in-depth investigations conducted by the Review and Investigation Section and involved more complex violations. Among the violations alleged in these complaints were: failure to report or inadequate reporting of contributor information prior to an election, failure to file 48-hour notices of contributions and expenditures, receipt and retention of contributions in excess of permissible contribution limits, personal use of contributions, and receipt of a currency contribution in excess of the \$200 limit on currency contributions.

At the conclusion of each case, the Commission issues a public Final Decision that sets forth findings of fact and conclusions of law specifying the violations found. Final Decisions issued in 2002 included cases involving violations by candidates and committees in elections from the 1998 general through the 2002 primary elections. In addition to the Internet, all Complaints and Final Decisions are available for public inspection at the Commission's offices and via the Internet.

### **Conclusion**

The Commission believes that the work of the Legal Section, interpreting and enforcing the law, is an essential element of effective administration of the campaign and lobbying financial disclosure responsibility entrusted to the Commission. The Legal Section looks forward to continuing its assistance of the Commission in serving the public interest and the regulated political community.



## COMPLIANCE AND INFORMATION SECTION

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During calendar year 2002, staff continued to focus its attention on enhancing disclosure by increasing the amount of data offered on its web site while maintaining its aggressive outreach programs to promote compliance with campaign laws.



Left to right: Nancy Fitzpatrick, Christopher Guear, Evelyn Ford, Kim Key, Monica Triplin-Nelson, Titus Kamal, Linda White, Maria Concepcion, Lauren Yarosheski, and Desiree DeVito

PACs, the Compliance Section undertook vigorous outreach efforts, including direct mail. These efforts were in addition to the direct mail outreach programs already actively supporting the filing community.

The Compliance Officers played a special role in achieving a high level of compliance with the campaign and lobbying laws. These staff members were available by telephone and in person to assist candidates, treasurers, and lobbyists with their filing questions. The Compliance and Information staff is proud to continue to provide a “live” person to respond to telephone inquiries by the public.

Seminars were held during the year to provide filing assistance to the regulated community. The Compliance and Information Section also provided summary information on the Commission’s web site for those candidates, treasurers, and lobbyists who were unable to attend a seminar.

### Compliance

In 2002, there were 5,538 candidates and committees that participated in local elections throughout the State. Additionally, 1,562 PACS filed reports with the Commission last year. Overall, close to 21,000 reports filed by PACS and candidates were processed, scanned, and available on the Internet.

Moreover, 525 registered agents filed over 3,700 lobbying reports. By the close of 2002, the Compliance and Information Section was responsible for handling close to 25,000 reports.

Compliance with the campaign and lobbying laws remained very high throughout the year. In response to the new law limiting contributions to

The Compliance Officers played a special role in achieving a high level of compliance with the campaign and lobbying laws. These staff members were available by telephone and in person to assist candidates, treasurers, and lobbyists with their filing questions.

Compliance Manuals, forms, advisory opinions, regulations, filing dates, and other important materials were available to download from the web site.



## COMPLIANCE AND INFORMATION SECTION *continued*

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Since electronic filing began for legislative candidates in 1999, each year has seen improvements and upgrades. A good part of 2002 was spent pursuing valuable enhancements to the electronic filing program. Drawing on the feedback obtained from the candidates and treasurers who filed electronically during the 2001 legislative general election, the Compliance and Information staff joined efforts with the Information Technology staff to enhance the current software used by electronic filers.

Overall, the Compliance and Information Section is pleased with its role in promoting compliance efforts during the 2002 calendar year. Candidates and committees continued to file accurately and on time, a direct result of staff efforts.

### **Information**

Providing New Jersey citizens with the information they need when entering the voting booth is of highest priority and an area in which the Commission is most proud. Since implementing its web site initiative, campaign finance data has been placed in homes, offices, libraries, schools, and any other place where an Internet connection can be made. The convenience of obtaining campaign finance information over the web has given the electorate the vital information needed to be informed voters.

Last year, the "Open Public Records Act" (OPRA) became law. While the staff of the Compliance and Information Section had procedures already established to process requests for information, the new law presented new challenges. Since no new appropriation of funds accompanied the passage of the new law, staff worked overtime to comply with the new procedures and requirements.

During 2002, reports filed by school board candidates, mayoral and council candidates, as well

as freeholder and other countywide offices were scanned to the web and available in a few days or less. Reports from the Statewide Leadership Committees and the major political party committees were up for viewing in less than 24 hours. Contribution details from many of the committees were entered into a searchable database, allowing citizens to search for a contributor name or a candidate's financial activity, or to sort the various data fields. During 2002, the Commission received 151,669 hits on its web site.

The Annual Reports of financial activity of lobbyists continued to be an extremely popular disclosure event for the press and public. The Compliance and Information staff published summary reports of lobbying expenditures and receipts, along with summaries of benefits passed to State officials covered by the Lobbying law. The data published as part of this project became the source of extensive news coverage throughout the State.

Also, the Compliance and Information staff publishes quarterly reports of lobbying activity. The quarterly summary provides a look at the lobbyist organizations and their agents at each quarterly interval. Both annual report data and quarterly reports can be accessed through the web site.

### **Conclusion**

The staff of the Compliance and Information Section continued its commitment to the Commission's electronic disclosure initiative during 2002. As budgetary constraints create new challenges in the immediate future, staff hopes to find new ways to continue its commitment to its web site presence and meet the increasing demands of a citizenry now firmly reliant upon convenient and free web site disclosure of campaign finance data.



## REVIEW AND INVESTIGATION SECTION

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The Review and Investigation Section closed 37 cases in calendar year 2002. Nineteen of these cases resulted in complaints issued by the Legal Section, including a number of multi-count



Left to right: Shreve Marshall, Brett Mead, Carol Hoekje, Amy Davis, and Renee Cardelucci

complaints resulting in substantial penalties. The investigative caseload continued to concern such basic reporting obligations as: the timely and complete disclosure of contributions and expenditures and quarterly reporting obligations of candidates and political party committees as well as receipt of excessive contributions, coordinated expenditures, political identification requirements, and reporting requirements for persons and entities allegedly engaged in election advocacy.

### **Requests for investigation**

Any member of the public can request an investigation by completing the 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 Commission received a total of 97 requests for investigation in calendar year 2002. Of these requests, the Commission did not have jurisdiction over 21 requests, and 11 other requests were either referred back to the complainant for additional information or otherwise resolved. The Commission also initiates investigations as a result of staff review of reports filed with the Commission. In calendar year 2002, the Commission determined to open a total of 49 investigations.

### **Investigations**

One investigation resulted in a 36-count complaint against a mayoral candidate in the 2002 municipal election for failure to file 11 preelection quarterly campaign reports, receipt of excessive contributions from 11

separate contributors, late reporting of depository account information, and late reporting of election cycle contribution and expenditure information.

Another investigation resulted in a 21-count complaint against a municipal political party committee

(MPPC) for late filing of quarterly report information and failure to file contributor information

relevant to the 2000 and 2001 calendar years.

Any member of the public can request an investigation by completing the Request for Investigation form which can be found on the Commission's web site.



## REVIEW AND INVESTIGATION SECTION *continued*

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The MPPC had initially reported all contributions as received in lump sum amounts of \$300 or less or \$400 or less and had not reported itemized contributor information for any contribution. Subsequent review of bank records indicated that the MPPC had in fact received contributions requiring itemized reporting. Four counts for failure to make and maintain records were issued as part of the complaint against the MPPC.

Another investigation involved a continuing political committee and late filing of expenditures made on behalf of candidates in the 2002 general election. An additional count involved failure to provide immediate written notice to candidates of three expenditures made on their behalf of candidates.

The investigative staff completed a project initiated in calendar year 2001 concerning the requirement of Assembly legislative candidates in the 1999 general election who may have failed to file a final report or to transfer a depository balance to a future election. Five complaints were issued to Assembly candidates as a result of this project, including a 17-count complaint alleging failure to report contribution and expenditure information required to be reported prior to the 2001 primary election.

The Section issued 28 subpoenas in calendar year 2002, all for records of a campaign or organizational depository.

### **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. In calendar year 2002, the Section transmitted recommendations to the Legal Section

which resulted in the issuance of 23 complaints relevant to the 2001 general election, nine relevant to the 2002 municipal election, and 19 relevant to the 2002 primary election. The investigators assist the attorneys in the Legal Section with follow-up enforcement activity such as locating addresses for sheriff's service of complaints.

The Review and Investigation Section also assists the Legal Section in the preparation of cases for hearings before the Office of Administrative Law when respondents do not waive such hearings and in the review of amended reports filed by respondents in response to Commission complaints.

### **Conclusion**

One important consequence of the September 11, 2001 disaster was the importance of establishing a contingency plan for governmental operations in the event of an emergency that would bar access to the Section's physical location. Both the Director and the Associate Director of the Section identified files and issues necessary for operation of the Section's functions in the event of such an emergency. The Review and Investigation Section also continued to render assistance to other law enforcement agencies including the FBI, the Division of Criminal Justice, and the U.S. Attorney's office. Given the State's current fiscal crisis, the Section resolves to do its best to meet the challenge of serving the Commission to the best of its ability.



## GUBERNATORIAL PUBLIC FINANCING SECTION

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Administration of New Jersey's publicly-financed gubernatorial elections requires constant evaluation and planning. Therefore, even though the next gubernatorial election occurs in 2005, the Commission undertook activities in 2002 that will form the basis of the next public financing program.

### **Hearings**

After each publicly-financed gubernatorial election, the Commission seeks comment from



Nedda G. Massar and Helen Staton

gubernatorial candidates, their treasurers, gubernatorial debate sponsors, other interested individuals, and the public at hearings devoted to public financing. Since the inception of New Jersey's gubernatorial public financing program with the 1977 general election, the comments received at these hearings have been invaluable to the Commission in formulating recommendations for legislative action, revising Commission regulations, and improving internal program operations and procedures.

During 2002, hearings were held on March 18th and April 18<sup>th</sup>. Eight persons offered testimony at the hearings and one individual submitted written comments on topics including: the gubernatorial

debates, "bundling" of contributions to gubernatorial candidates, the threshold for qualification to participate in the public financing program, and penalties for public financing violations. The recommendations for legislative change derived from the comments received at the hearings are discussed in the Legislative Recommendations Section of this report.

Comments received at the two hearings also form an important part of the Commission's review of the complex gubernatorial public financing regulations. During 2003, the Commission will begin to examine the primary and general election regulations to identify rules requiring clarification and to draft new rules. This process will culminate in the proposal of new rules and amendments in the New Jersey Register and with public hearings on the proposed changes well in advance of the 2005 gubernatorial election.

### **Expenditure Review**

As it has at the conclusion of past publicly-financed gubernatorial elections, during 2002 the Commission used the State's competitive bidding process to select an independent accounting firm to review the bank accounts maintained by the 2001 publicly-financed gubernatorial primary and general election candidates. The Commission views this process as an important compliance tool because each gubernatorial campaign knows in advance of the election that it will be subjected to an in-depth examination of its expenditure activity. The accountants were asked to verify that matching funds were spent only for the specific purposes permitted in the Campaign Reporting Act. These include purchase of media time, printing and mailing of campaign literature, and payment of the cost of producing material aired or displayed on radio and television and in newspapers and other periodicals.





## GUBERNATORIAL PUBLIC FINANCING SECTION *continued*

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The accountants were also asked to confirm that the campaigns complied with the \$5.9 million primary election expenditure limit and the \$8.4 million general election spending limit. Unlike candidates for other elected offices, publicly-financed gubernatorial candidates are not permitted to retain funds or to transfer those funds to a future election. The Campaign Reporting Act and Commission regulations require that a publicly-financed campaign return to the State any funds remaining, up to the total of public funds which the campaign received, after all obligations are satisfied. The Commission will review the results of the accountants' report during the coming year and will monitor the 2001 campaigns to insure that any available funds are refunded to the State.

Even though the next gubernatorial election occurs in 2005, the Commission undertook activities in 2002 that will form the basis of the next public financing program.

Gubernatorial Electronic Filing System (GEFS). Commission staff met with representatives of the 2001 gubernatorial campaigns during 2002 to obtain their comments and suggestions for improving GEFS, and has already begun to revise GEFS to improve it for the 2005 election.

During 2002, through the public hearing process, independent review of gubernatorial expenditures, and continuing enhancement of its computer systems, the Commission took important steps to establish a foundation for the 2005 gubernatorial election and to serve the interests of

New Jersey citizens and candidates.

### **Inaugural Committee Information**

Contributions to the gubernatorial inaugural event are capped at the statutory limit of \$500 per contributor. Reports are filed by the inaugural event committee 45 days after the inaugural event and on quarterly intervals thereafter. During 2002, Commission staff reviewed and computerized more than 2,700 contributions, totaling \$1.3 million, to Governor James E. McGreevey's 2002 inaugural event. This contribution information is available as part of the Commission's contribution database and is available on the Commission's web site, along with copies of the inaugural event committee reports.

### **Computer Planning**

The Commission implemented electronic filing for the 2001 gubernatorial election with its



## SYSTEMS ADMINISTRATION SECTION

### Maintenance and Support

The Systems Administration area was very busy during 2002. This area provides support and routine maintenance on the many servers, switches,

diskette or CD. The reports that were received electronically were processed through the computer section to be viewed as an image through ELEC's programs. Both paper and electronic reports were made available on the Commission's web site.



From left to right: Carol Neiman, Brenda Brickhouse, Hellen Kelly, Peter Palaitis, Darlene Kozlowski, Kim Vandegrift, Anthony Giancarli, Nelly Rosario, Brian Robbins, Pam Kinsey, Shirley Bryant, and Lou Solimeo

routers, PC's, printers, and scanners. Systems Administration undertook the major task of upgrading the Commission's network, imaging system, web services, Oracle database, and the many customized programs.

Help desk and desktop support continued to be provided to staff for hardware and software maintenance. In addition, help desk support continued for electronic filers and Internet users, providing the help needed to view campaign finance and continuing political committee reports on-line.

The Systems Administration area continued to effectively manage the data received from disclosure reports of candidates, committees, lobbyists, and legislative agents. These reports were received either by hard copy or electronically by

ELEC's webmaster dealt effectively with the many changes needed during the year to keep the Commission's web site up-to-date. The OPRA button was added in July to take the public directly to the State's OPRA web site where an OPRA request could be made on-line. Result sets for OPRA data requests are now being handled directly on-line as well. A direct link to the Election Section of the Department of Law & Public Safety's home page was added to allow anyone looking for all election information to view it by going to one place. The Lobbyist Quarterly Report Summaries were added to the web site to either view

online or to download for viewing at another time.

These changes as well as the many changes needed throughout the year to keep the web site as up-to-date as possible are routine.

Most of the developing and programming efforts during 2002 went into the major upgrade of the network and customized applications.



## SYSTEMS ADMINISTRATION SECTION continued

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### **Development and Programming**

Most of the developing and programming efforts during 2002 went into the major upgrade of the network and customized applications. A development environment for major testing purposes was configured to keep production downtime to a minimum.

Servers were upgraded to MS Windows Server 2000 and e-mail to MS Exchange 2000. The Oracle database went from Oracle 7.3.4 to Oracle 8.i. FileNet imaging and web services were also upgraded along with the customized applications that reside on the servers and the individual PC desktops. New anti-virus/filtering software was installed on the Exchange server to filter unsolicited and unacceptable e-mail.

After meeting and speaking with users for both the R-1 and Gubernatorial Electronic Filing Systems (REFS and GEFS), a list of enhancements and maintenance issues was developed. A rewrite of both programs was started in 2002. The REFS changes are slated to go into effect for use in the November, 2003 legislative general election filing periods and the changes to the GEFS program will go into effect with the 2005 Gubernatorial primary election.

### **Data Entry**

During the year, staff continued to code candidate and PAC reports for contributor and occupation types, make front cover adjustments for mathematical errors, and key the detailed contribution information for those reports not filed electronically. For the electronically filed reports, staff continued to assume responsibility for overseeing the electronic media. Diskettes were scanned for viruses, logged into the filing system, and uploaded to the Commission's legacy database.

Edit sheets for each report were then available for review by data entry staff to complete the coding process on contributor and occupation types. This process is now an on-going one as the electronic filers from the 2001 legislative election have continued to file their quarterly reports electronically for the 2003 legislative primary election.

Also keyed was information from the quarterly and annual lobbyist and legislative agent filings. The summary information from these reports was then posted on-line.

Once all of the information from the various reports was keyed and reviewed, it was uploaded to the Commission's web site for public disclosure.

### **Conclusion**

In the future staff plans to:

- Upgrade FileNet web services to allow images to be viewed without the use of the FileNet viewer software.
- Upgrade the FileNet imaging system to the most current release, including a rewrite of the customized applications used within this program.
- Replace aging and outdated equipment.
- Enhance the electronic filing program to allow for Internet Filing including all of the short form filers.
- Create an electronic filing program for PACs, consisting of the legislative leadership, political party, and continuing political committees.
- Create a lobbyist module for scanning and electronic filing.
- Enhance the Commission's Internet web site with more interactive information.
- Enhance ELECTrack (the Commission's legacy database application) to become a more effective compliance tool.



## ADMINISTRATION SECTION

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During 2002, the Administration Section effectively met the ever-increasing fiscal and personnel demands of the Commission. An essential part of the agency, Administration provides all management services for the Commission.



From left to right: Donna Margetts, Barbra Fasanella, and Elaine Salit.  
Debbie Kostival and Irene Comiso not shown.

Since ELEC is "in but not of" the Department of Law and Public Safety, the Department has no administrative responsibility or control over the Commission.

### **Managing the Budget**

In FY-2003, ELEC received an annual appropriation of \$2,802,000.

An essential part of the agency, Administration provides all management services for the Commission.

As in the recent past few years, budget cuts remain a daily possibility so

careful planning is a priority. Through careful

planning, no major equipment purchases should be necessary this fiscal year. However, it will be necessary in FY-2004 to begin replacing servers, personal computers, scanners, scan stations, backup tape libraries, and ELEC's Universal Power Supply units. This action will be required as industry maintenance and technical support will become unavailable as ELEC's technology falls behind. Industry standards dictate when upgrades become necessary. Continued funding of the system is not only necessary for its internal functioning but also for the user end. ELEC's system must remain compatible with the general public's using level of software and memory in order for it to remain an effective research tool.

In addition to the above, the Administration Section also assisted in the drafting of changes to ELEC's Code of Ethics. The Code had not been modified since 1988. As part of Governor McGreevey's Executive Order No. 10, the Commission reviewed the Code and submitted changes to the Executive Commission On Ethical Standards and the Attorney Generals Office for review. The Commission approved the revised Code in June.



**ADMINISTRATION SECTION continued**

**Conclusion**

The Commission is hoping that in the next fiscal year, it will be able to fund training for its computer staff so that they can be kept as current as possible on the latest versions of software that the agency uses. This investment will help to avoid the use of outside consultants as well as assist in maintaining and upgrading systems, as it is needed. Training will also allow staff to modify and enhance the ELEC web site making it more user friendly.

Other plans include purchasing necessary software upgrades in order to maintain and keep current the ELEC workflow system. This addition will become crucial next fiscal year when industry maintenance costs to keep the system working will increase dramatically if an upgrade is not performed. This workflow system includes ELEC's scanning process. It is this process which provides the images of reports over the Internet. It is therefore crucial that upgrades be performed on a regular basis in order for the Commission to keep up with it's workload and provide the best quality images over the Internet possible.

In addition, the Commission is hoping to expand its outreach to local candidates in assisting them with their filing responsibilities. However, funding for additional staff will be necessary for this initiative to truly be successful.

In FY-2004, the Commission anticipates an appropriation of \$2,900,000 based on the Governor's Budget Recommendation.

**Comparison of Fiscal Years 2002 and 2003 Original Appropriations**

	<u>FY-2002</u> <u>Appropriation</u>	<u>FY-2003</u> <u>Appropriation</u>
Personnel	\$2,252,000	\$2,311,000
Printing & Supplies	49,000	49,000
Travel	12,000	10,000
Telephone	40,000	40,000
Postage	38,000	38,000
Data Processing	250,000	250,000
Professional Services	36,000	40,000
Other Services	30,000	28,000
OIT	27,000	19,000
Maintenance/Equipment	2,000	2,000
Furniture/Equipment	360,000	0
Commissioner Per Diem	<u>15,000</u>	<u>15,000</u>
Total Operational	\$3,111,000	\$2,802,000

**2002 Evaluation Data**

Disclosure Reports (Total).....	24,403
<i>Campaign &amp; Quarterly</i> .....	20,667
<i>Lobbyist</i> .....	3,736
<i>Personal Finance</i> .....	0
Photocopies.....	84,015
Investigations.....	37
Civil Prosecutions.....	96
Public Assistance Requests.....	10,932



## STATUTORY HISTORY OF ELEC

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- **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.
- **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 (PACs) 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.



Steve Kimmelman



## ELEC's HOME PAGE

THE NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION  
PROUDLY ANNOUNCES ITS EXTENSIVE WEB SITE!

[www.elec.state.nj.us/](http://www.elec.state.nj.us/)

Log on to view Reports, Search for Contributors, obtain Publications and Forms, as well as Campaign Financing & Lobbying Data from the past decade.

ELEC's help desk is always ready to lend assistance.  
Please call 609-292-8700 during business hours.

