



Newsletter

ELECtronic

DECEMBER
2020

ISSUE

138

AN ELECTION LAW ENFORCEMENT COMMISSION NEWSLETTER
"Furthering the Interest of an Informed Citizenry"

Comments from the Chairman

Eric H. Jaso

A debate has one purpose, one purpose only, and that is to facilitate the exchange of ideas directly between two candidates, and that's it.

– Jim Lehrer

Now that the races for President and Congress are over, New Jersey residents scarcely have time to take a (masked) breath before facing the next campaign: the contest for governor.

New Jersey is one of only two states that holds its election for governor the year following a Presidential election. Virginia is the other.

Because of that timing, the New Jersey and Virginia gubernatorial campaigns draw nationwide media attention, as they may be seen as a referendum on how the electorate views the newly-installed President and Congress.

Since 1977, New Jersey has been known for its model Gubernatorial Public Financing Program.

Candidates qualifying and participating in the program receive two public dollars for every private dollar raised.

In order to receive these matching public funds, gubernatorial candidates must participate in two debates. In addition, candidates for lieutenant governor (an office which did not exist prior to the 2009 election) must participate in one debate.

In anticipation of substantial interest by organizations hoping to sponsor these debates, the following describes the application procedure.

To sponsor one or more of the debates, an organization must meet the following criteria:

1. The organization must not be affiliated with any political party, holder, or candidate for public office;
2. The organization must not have endorsed any candidate for governor and must agree not to do so until the completion of the sponsored debate; and
3. The organization must have previous experience sponsoring televised debates for statewide office in New Jersey.

Written applications to sponsor a primary election debate must be submitted to the Commission by March 15, 2021. The written applications must be on a form provided by the Commission.

The Commission is required to select the sponsors for the gubernatorial primary election debates within 30 calendar days of the March 15 deadline. Applicants will also have the opportunity to present their proposals at the Commission's April meeting, and the Commission will discuss and vote on the proposals at the same meeting.

Organizations seeking to sponsor the debates will be provided with further information by the Commission, which will consider and vote on applications in April for the primary and July for the general election.

Potential applicants should consult the Commission's regulations at 19:25-16.39 *et al.* and/or contact the Commission's temporary gubernatorial public financing staff within the Compliance section at 1-888-313-3532.

Information is also available on the Commission's website at www.elec.state.nj.us.

IN THIS ISSUE

Comments from the Chairman
Executive Director's Thoughts
2021 Commission Meeting Schedule
More than \$2.3 Million Raised Primarily To Promote Marijuana Legalization Initiative
2020 Reporting Dates

P. 1
P. 2
P. 3
P. 4
P. 6

COMMISSIONERS

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

Executive Director's Thoughts

Jeff Brindle

Fixing the 'Broken Windows' of Political Parties Could Ease Today's Political Divide

Reprinted from insidernj.com

Stronger political parties may calm the turbulence engulfing politics and government today.

The uncertainty and distrust on both sides surrounding the recent presidential election has made even rockier the road politics and government has taken in recent years.

This recent and deepening wave of cynicism should be of grave concern no matter the side.

There is always going to be some level of political tension between presidents and Congress, governors and state legislatures, or within legislative bodies.

When polarization runs so deep that it undermines trust in elections, it takes on a whole new -and worrisome- dimension.

How can the nation escape this civic morass?

In policing, there is the broken windows theory first described in 1982 by social scientists James Wilson and George Kelling. Supported by some, disparaged by others, the theory holds that if a window in a building remains

broken and is not repaired, more damage will follow.

"One unrepaired broken window is a signal that no one cares, and so breaking more windows costs nothing," the scientists wrote in *The Atlantic*. Conversely, if a window is repaired, it will impede further damage to the building and even lead to improving its overall quality.

Applying the same theory to politics, leaving parties broken may lead to further damage to the political climate. Fixing parties could improve it.

According to Pew Research in 1960 over 70 percent of the people identified with one party or the other. Likewise, a similar percentage indicated that they trusted government.

By 2015, however, Pew Research found that party identification had declined to 52 percent while trust in government decreased to about 20 percent of the population.

Stronger parties may give a boost to politics and government by reversing the downward trends in party identification and trust.

Not that it is an easy fix.

Unquestionably, skepticism toward political parties has been part of the nation's political culture from the beginning of the republic.

Factionalism between Alexander Hamilton and Thomas Jefferson within the Washington administration prompted the nation's first president

to warn against parties in his farewell address to the nation.

To many, political parties are bastions of corruption headed by party bosses whose selfish interests lead them to dole out patronage, public contracts, and no-show jobs in return for the loyal support from those who benefitted from the largess of the party.

Tammany Hall, "Boardwalk Empire" and other historic examples may make this seem like the norm. Fortunately, the vast majority of party officials are dedicated people who are NOT corrupt. Parties functioning properly truly benefit society.

Noting that political parties are central to our electoral and governmental systems, Professor Marjorie Random Hershey writes in "Party Politics in America" . . . Both major American parties can trace their histories more than 150 years . . . The parties are there as points of reference year after year, election after election, and candidate after candidate, giving continually to the choices Americans face and the issues they debate."

Most importantly, in terms of the current polarization that plagues our politics, a stronger party system can help to soften the divisions that exist today. By virtue of party discipline, they can organize majorities in government that are crucial to governing.

In addition to providing a training ground for leadership, these historical institutions help to build relationships, even across party lines, so critical for bringing people together for the common good.

By encouraging leaders to work together, parties can create an environment that promotes compromise and encourages the establishment of majorities.

Disciplined parties that serve to ease the passage of legislation and work to bring about agreed upon public policies will go far toward ameliorating the fragmentation and polarization that marks our politics today.

In doing so, political parties, which Hershey has said are at the “core of American democracy,” could assume the role of the repaired window that rebuilds trust in the very foundation of our government.

In the spirit of strengthening political parties in New Jersey, the Election Law Enforcement Commission has made several proposals.

They are: remove parties from pay-to-play restrictions; include special interest PACs under pay-to-play law; disclose contributions and expenditures by independent groups making both express advocacy and electioneering communications; allow parties to participate in gubernatorial elections; and increase contribution limits applicable to parties.

Hopefully, the Legislature will consider these proposals and fortify the party system in New Jersey.

“OPEN PUBLIC MEETINGS ACT,”
N.J.S.A. 10:4-6 et seq.

COMMISSION MEETING SCHEDULE FOR
CALENDAR YEAR 2021

The New Jersey Election Law Enforcement Commission has announced its meeting schedule for 2021. Unless otherwise indicated in the future, meetings will be held at the Commission’s offices at 25 South Stockton Street, 5th Floor, in Trenton. It is anticipated that meetings will begin at 11:00 a.m., unless otherwise indicated.

2021 COMMISSION MEETING SCHEDULE

January	19, 11:00 a.m.
February	16, 11:00 a.m.
March	16, 11:00 a.m.
April	20, 11:00 a.m.
May	18, 11:00 a.m.
June	15, 11:00 a.m.
July	20, 11:00 a.m.
August	17, 11:00 a.m. (if necessary)
September	21, 11:00 a.m.
October	19, 11:00 a.m.
November	16, 11:00 a.m.
December	21, 11:00 a.m.

More than \$2.3 Million Raised Primarily to Promote Marijuana Legalization Initiative

A state ballot question that authorized recreational use of marijuana in the Garden State on November 3 generated a total of \$2.3 million in fund-raising, according to post-election reports filed with the New Jersey Election Law Enforcement Commission (ELEC).

“Based on what appears to be the final fund-raising total, the marijuana ballot question was the seventh most expensive in New Jersey history,” said Jeff Brindle, ELEC’s Executive Director. “While the amount is low compared to some previous New Jersey referendums and most marijuana initiatives in other states, it still is significant.”

Table 1
Top Ten Costliest New Jersey Ballot Question
Elections Based on Inflation-Adjusted Numbers

Rank	Referendum	Outcome	Year	Spending Unadjusted for Inflation	Spending Inflation Adjusted
1	Allow two new casinos in North Jersey	Failed	2016	\$24,669,426	\$26,716,004
2	Allow casinos in Atlantic City	Passed	1976	\$ 1,351,865	\$ 6,175,291
3	Jersey City short-term rental restrictions	Passed	2019	\$ 5,615,109	\$ 5,708,695
4	Increase state minimum wage	Passed	2013	\$ 3,167,928	\$ 3,534,564
5	Allow simulcasting at state race tracks	Passed	1985	\$ 1,006,918	\$ 2,432,306
6	Allow casinos in four New Jersey locations	Failed	1974	\$ 612,500	\$ 2,339,204
7	Legalize marijuana use in New Jersey	Passed	2020	\$ 2,331,969*	\$ 2,331,969*
8	Higher education bond Issue	Passed	2012	\$ 2,019,690	\$ 2,286,444
9	Build professional baseball stadium	Failed	1987	\$ 593,948	\$ 1,358,959
10	Allow sale of Trenton Water Works to private firm	Failed	2010	\$ 1,104,799	\$ 1,316,896

*Funds raised. Assumes all funds will be spent.

“Don’t forget that marijuana interests also spent \$4.1 million on lobbying between 2017 and 2019 on various legislative initiatives related to marijuana use. So the industry’s overall political investment in New Jersey is more than \$6.3 million in just three years,” Brindle noted.

Based on preliminary results compiled by Associated Press, voters overwhelmingly approved the ballot question by 2,737,674 to 1,343,603- a 67-to-33 percent margin. The huge support might have been a factor that kept spending relatively low.

Also on November 3, voters in three other states- Arizona, Montana and South Dakota- legalized recreational use of marijuana while Mississippi authorized marijuana use for medical purposes.

NJ CAN 2020, a coalition supporting the New Jersey initiative, raised \$1.1 million and spent just under that amount, leaving a \$1,871 balance. It did not yet submit its final report.

Nor did another supporter of the initiative called Building Stronger Communities Action Fund Inc. It raised \$905,100, spent \$891,865 and reported \$13,325 in unspent funds.

Growing Economic Opportunities, an independent spending committee operated by the New Jersey State Laborers union, contributed \$302,600 to Building Stronger Communities that has not yet been reported by the recipient committee.

Table 2
Campaign Finance Activity Related to Ballot
Question Legalizing Marijuana Use in New Jersey
(Through November 20, 2020)

Ballot Question Committee (20-Day Post-Election Report)	Raised	Spent	Unspent	Pro/Con
NJ CAN 2020	\$1,112,071	\$1,110,200	\$ 1,871	Pro
Building Stronger Communities Action Fund Inc.	\$ 905,100	\$ 891,865	\$ 13,235	Pro
Don't Let NJ Go to Pot Inc.	\$ 12,198	\$ 12,198	0	Con
Growing Economic Opportunities (Laborers) to Building Stronger Communities*	\$ 302,600			Pro
Totals	\$2,331,969	\$2,014,263	\$ 15,106	

*Not yet reported by Building Stronger Communities

Advocates of the marijuana legalization initiative raised 99.5 percent of the funds.

The lone opponent was Don't Let NJ Go to Pot Inc. It reported raising \$12,198 and spending the full amount. It filed its final report.

To view reports filed by political committees involved in this year's referendum election, go to <https://www.elec.nj.gov/>.

Click on the "Candidate or committee reports" button and set location to "statewide," office to "cmte ballot question," and year to "2020" (see below).

The screenshot shows the ELEC website interface. At the top, there is a navigation bar with the ELEC logo and the text "State of New Jersey New Jersey Election Law Enforcement Commission". Below this is a menu with items: Home, Public Information, Candidates/Committees, Lobbying, Pay-to-Play, Legal Resources, and About ELEC. The main content area is titled "CANDIDATE / COMMITTEE FILING REPORTS" and contains a search form. The form has several tabs: Summary, Filings, 48-Hr, IND. Exp, Contribution, Listing, By Location, Expense, and Er. The search form includes a "Candidate or Committee Name" field with radio buttons for "First" and "Last" (with "MI" and "Suffix" sub-fields), a "Location" dropdown menu with "STATEWIDE" selected, and a group of dropdown menus for "Office" (CMTE BALLOT QUESTION), "Party Affiliation" (ALL), "Election Type" (ALL), and "Year" (2020). There are "Search" and "Clear Fields" buttons at the bottom of the form.

2020 Reporting Dates

Please refer to ELEC's website for up-to-date revised dates

www.elec.nj.gov/pdf/files/reporting_dates/REVISED_2020_Reporting_Dates.pdf

	INCLUSION DATES	REPORT DUE DATE
FIRE COMMISSIONER – FEBRUARY 15, 2020		
29-day Preelection Reporting Date	Inception of campaign* – 1/14/2020	1/17/2020
11-day Preelection Reporting Date	1/15/2020 – 2/1/2020	2/4/2020
20-day Postelection Reporting Date	2/2/2020 – 3/3/2020	3/6/2020
48-Hour Notice Reports Start on 2/2/2020 through 2/15/2020		
APRIL SCHOOL BOARD – May 12, 2020		
29-day Preelection Reporting Date	Inception of campaign* – 4/10/2020	4/13/2020
11-day Preelection Reporting Date	4/11/2020 – 4/28/2020	5/1/2020
20-day Postelection Reporting Date	4/29/2020 – 5/29/2020	6/1/2020
48-Hour Notice Reports Start on 4/29/2020 through 5/12/2020		
MAY MUNICIPAL – MAY 12, 2020		
29-day Preelection Reporting Date	Inception of campaign* – 4/10/2020	4/13/2020
11-day Preelection Reporting Date	4/11/2020 – 4/28/2020	5/1/2020
20-day Postelection Reporting Date	4/29/2020 – 5/29/2020	6/1/2020
48-Hour Notice Reporting Starts on 4/29/2020 through 5/12/2020		
RUNOFF (JUNE) ** – JULY 7, 2020		
29-day Preelection Reporting Date	No Report Required for this Period	
11-day Preelection Reporting Date	4/29/2020 – 6/23/2020	6/26/2020
20-day Postelection Reporting Date	6/24/2020 – 7/24/2020	7/27/2020
48-Hour Notice Reporting Starts on 6/24/2020 through 7/7/2020		
PRIMARY (90-DAY START DATE: MARCH 4, 2020) *** – JULY 7, 2020 (See Executive Order No. 120)		
29-day Preelection Reporting Date	Inception of campaign* – 6/5/2020	6/8/2020
11-day Preelection Reporting Date	6/6/2020 – 6/23/2020	6/26/2020
20-day Postelection Reporting Date	6/24/2020 – 7/24/2020	7/27/2020
48-Hour Notice Reporting Starts on 6/24/2020 through 7/7/2020		
GENERAL (90-DAY START DATE: AUGUST 5, 2020) – NOVEMBER 3, 2020		
29-day Preelection Reporting Date	7/25/2020 – 10/2/2020	10/5/2020
11-day Preelection Reporting Date	10/3/2020 – 10/20/2020	10/23/2020
20-day Postelection Reporting Date	10/21/2020 – 11/20/2020	11/23/2020
48-Hour Notice Reporting Starts on 10/21/2020 through 11/3/2020		
RUNOFF (DECEMBER)** – DECEMBER 15, 2020 – See Executive Order No. 193		
29-day Preelection Reporting Date	No Report Required for this Period	
11-day Preelection Reporting Date	10/21/2020 – 12/1/2020	12/4/2020
20-day Postelection Reporting Date	12/2/2020 – 1/1/2021	1/4/2021
48-Hour Notice Reporting Starts on 12/2/2020 through 12/15/2020		

PACs, PCFRs & CAMPAIGN QUARTERLY FILERS

1 st Quarter	1/1/2020 – 3/31/2020	4/15/2020
2 nd Quarter	4/1/2020 – 6/30/2020	7/15/2020
3 rd Quarter	7/1/2020 – 9/30/2020	10/15/2020
4 th Quarter	10/1/2020 – 12/31/2020	1/15/2021

GOVERNMENTAL AFFAIRS AGENTS (Q-4)

1 st Quarter	1/1/2020 – 3/31/2020	4/13/2020
2 nd Quarter	4/1/2020 – 6/30/2020	7/10/2020
3 rd Quarter	7/1/2020 – 9/30/2020	10/13/2020
4 th Quarter	10/1/2020 – 12/31/2020	1/11/2021

*Inception Date of Campaign (first time filers) or January 1, 2020 (Quarterly filers)

**A candidate committee or joint candidates committee that is filing in a 2020 Runoff election is not required to file a 20-day postelection report for the corresponding prior election (May Municipal or General).

***Form PFD-1 is due on April 9, 2020 for the Primary Election Candidates and July 17, 2020 for the Independent General Election Candidates.

Note: A fourth quarter 2019 filing is needed for the Primary 2020 candidates if they started their campaign prior to December 4, 2019.
A second quarter is needed by Independent/Non-Partisan General Election candidates if they started their campaign prior to May 5, 2020.

HOW TO CONTACT ELEC

www.elec.state.nj.us

In Person: 25 South Stockton Street, 5th Floor, Trenton, NJ
By Mail: P.O. Box 185, Trenton, NJ 08625
By Telephone: (609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532)

DIRECTORS:

Jeffrey M. Brindle
Joseph W. Donohue
Demery J. Roberts
Amanda Haines
Stephanie A. Olivo
Anthony Giancarli
Shreve Marshall
Christopher Mistichelli