



NEWS RELEASE

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The New Jersey Election Law Enforcement Commission has filed a motion with the state appellate division for leave to intervene in a case in which the Superior Court recently nullified the results of a Morris County freeholder election based in part on alleged campaign finance violations.

In a motion filed Friday on behalf of Jeff Brindle, the Commission's Executive Director, the Commission contends that the lower Court's action could jeopardize its ability to enforce state campaign finance laws.

"The lower Court's ruling has the strong potential to negatively affect the Commission's legislative mandate of primary jurisdiction, resulting in the public's and the regulated community's inability to rely upon the Commission's uniform administration of the Campaign Reporting Act," said the motion filed on the Commission's behalf.

"If the lower Court's ruling stands, it would subject candidates and committees to inconsistent application of the Campaign Reporting Act in enforcement actions dependent upon the forum where the matter is adjudicated," the motion adds.

Brindle emphasized that while the Commission is intervening in the case to uphold its statutory prerogatives, it is not taking sides in the case.

On September 13, Morris County Assignment Judge Thomas Weisenbeck threw out the results of the June Republican primary election in which challenger Hank Lyon won by six votes over incumbent Margaret Nordstrom. On September 19, the Morris County Republican Committee selected Nordstrom over Lyon in a 213-208 vote to fill the position.

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In voiding the election results, the Court cited a contention made by Nordstrom's attorney that Lyon's father Robert violated campaign finance rules by making a \$16,000 contribution to the campaign a week before the election but didn't disclose it until after the election. In general under ELEC regulations, within 13 days of an election, candidates are required to disclose contributions of more than \$1,200 within 48 hours of their receipt.

The Commission's motion points out that the Legislature in 1993 gave ELEC the power to make a candidate forfeit office if it found that the candidate received at least \$50,000 in illegal contributions and the violation had a significant impact on the outcome of the election. The Commission has never invoked that section of the law.

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