



# NEWS RELEASE

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## PRESS ADVISORY

The state appellate division today issued a ruling that upholds the authority of the New Jersey Election Law Enforcement Commission (ELEC) to enforce the state's campaign finance laws.

"We are delighted with the decision," said Jeff Brindle, ELEC's Executive Director.

"We felt all along that a recent Morris County election should not have been overturned based on alleged violations of campaign finance regulations," said Brindle.

"It is ELEC's job to determine when such violations exist. Only in extremely rare instances does the agency have the ability to overturn an election. The appellate judges today clearly recognized these facts," he said.

When it intervened in the case, ELEC pointed out that the Legislature in 1993 gave the agency the power to make a candidate forfeit office only 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. In its nearly 40-year history, the Commission has never invoked that section of the law.

Brindle said if a previous lower court ruling had not been overturned, "it would have subjected candidates and committees to inconsistent application of the Campaign Reporting Act in enforcement actions."

Brindle emphasized that while the Commission intervened in the case to uphold its statutory prerogatives, it did not take sides in the case.

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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.

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 that was not disclosed before 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.

On September 19, the Morris County Republican Committee selected Nordstrom over Lyon in a 213-208 vote to fill the position. Nordstrom was subsequently elected to her fifth term after defeating a Democratic opponent in the November 8 general election. The appellate court yesterday overturned her election.

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