

OTHER AGENCIES

ELECTION LAW ENFORCEMENT COMMISSION

Elimination of Requirement to File Copies of Reports with County Clerks

Adopted Amendment: N.J.A.C. 19:25-8.12

Proposed: December 1, 2014, at 46 N.J.R. 2349(a).

Adopted: March 17, 2015, by the Election Law Enforcement Commission, Jeffrey M. Brindle,
Executive Director.

Filed: March 23, 2015, as R.2015 d.066, **without change**.

Authority: N.J.S.A. 19:44A-6.

Effective Date: April 20, 2015.

Expiration Date: March 25, 2017.

In 2014, a statutory change to the New Jersey Campaign Contributions and Expenditures Reporting Act, N.J.S.A 19:44A-1 et seq. was enacted, eliminating the requirement of a candidate in an election for an office elected by a municipal or countywide constituency or a school district, or for State legislative office, to file a duplicate copy of the campaign treasurer's report with the clerk of the county in which the candidate resides, see P.L. 2014, c. 58.

The Commission proposed to amend its rules to codify the new statutory language.

Summary of Hearing Officer's Recommendations and Agency Response:

A public hearing on the notice of proposal was conducted before the New Jersey Election Law Enforcement Commission (Commission) on February 17, 2015, in the Edward J. Farrell Memorial Conference Room, 28 West State Street, 12th Floor, Trenton, New Jersey. No witnesses appeared to testify. Advance written notice of the hearing was circulated on or about December 12, 2014, to the County Clerks, the State House press corps, and other interested

individuals. The hearing officer recommended that the Commission adopt the amendment without change. The Commission voted on March 17, 2015, to adopt the amendment, with no change. The record of opportunity for the public to be heard may be reviewed by contacting Michelle R. Levy, Esq., Associate Legal Director, Election Law Enforcement Commission, PO Box 185, Trenton, NJ 08625-0185.

Summary of Public Comment and Agency Response:

The period for receipt of written comments expired on February 17, 2015, and one written comment was received.

COMMENT: Richard J. Edgar provided a comment stating his belief that the amendment to N.J.A.C. 19:25-8.12 (eliminating duplicate copies) is a “good start.” He then made several suggestions regarding decreasing reporting requirements for individual donors, decreasing filing requirements for candidates, and increasing contribution limits for candidates and political committees.

RESPONSE: The Commission thanked Mr. Edgar for his comment. The changes that Mr. Edgar suggested would require legislative action, and are not the subject of the proposed amendment. Accordingly, the Commission adopts the proposed amendment, without change.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendment concerns New Jersey filing entities. The amendment is not subject to any Federal requirements or standards.

Full text of the adoption follows:

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 8. CANDIDATE, JOINT CANDIDATES, AND POLITICAL COMMITTEE REPORTING

19:25-8.12 Time and place of filing reports

(a) (No change.)

[(b) One copy of a candidate committee, or joint candidates committee, report filed pursuant to N.J.A.C. 19:25-8.1 shall be filed with the county clerk of the county in which the candidate, or joint candidates, seek office. A candidate, or joint candidates, for State legislative office shall file a copy with the county clerk of the county, or county clerks of the counties, in which the candidate, or joint candidates, resides or reside, if the legislative district includes more than one county. Such a report shall be duly certified as a duplicate copy by the campaign treasurer.]

(b) No candidate for elective public office shall be required to file a duplicate copy of the campaign treasurer's report with the county clerk of the county in which the candidate resides.

(c) (No change.)