

WHITE PAPER NO. 29

LEGISLATIVE ELECTION 2019
SHAKE-UP IN THE 1ST

NEW JERSEY
ELECTION LAW ENFORCEMENT COMMISSION
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State of New Jersey

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Respond to:
P.O. Box 185
Trenton, New Jersey 08625-0185

(609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532)

Website: <http://www.elec.nj.gov>

JEFFREY M. BRINDLE
Executive Director

JOSEPH W. DONOHUE
Deputy Director

DEMERY J. ROBERTS
Legal Director

STEPHANIE A. OLIVO
Compliance Director

EDWIN R. MATTHEWS
Legal Counsel

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“Legislative Election 2019- Shakeup in the 1st” is the 29th white paper released by the New Jersey Election Law Enforcement Commission (ELEC) since 1988.

This series has been cited in media reports, the political science literatures, and in studies prepared by sister agencies and advocacy groups.

The documents serve as reference works and provide valuable background and guidance for the Governor’s Office, legislators and other policy makers. Some recommendations have helped spur legislative proposals and even new laws.

Deputy Director Joseph W. Donohue is the author of White Paper 29: “Legislative Election 2019- Shakeup in the 1st.”

General editors and proofreaders included Executive Director Jeffrey M. Brindle and Research Associate Steven Kimmelman. Kim Swartz, Associate Director of Information Technology, helped compile data used in the reports. Steve also coded data used in the analysis.

Administrative Assistant Elbia L. Zeppetelli helped with proofreading and creatively assembled the final document.

All 29 white papers are available on ELEC’s website at www.elec.nj.gov.

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SUMMARY

Almost any legislative election would have been overshadowed by the record-crushing campaign of 2017.

The 2017 legislative election was the costliest in New Jersey history and featured the most spending ever by independent committees. Even more significantly, it produced the most expensive legislative district race in United States history.

Not surprisingly, campaign finance activity in 2017 made the 2019 election seem unremarkable.

There were no major records set in fund-raising or spending. Independent spending fell sharply after steadily rising in four previous legislative elections. None of the legislative district races were costly enough to vault into the top ten.

There was one notable campaign finance milestone.

The \$1.4 million spent by NJ United (Table 20) is thought to have been the most ever spent by a 501c4 social welfare group on a New Jersey legislative election. While this group disclosed its donors voluntarily, most do not. If more such groups get involved in New Jersey elections and refuse to be as transparent about their donors as NJ United, it will become much harder if not impossible to determine what special interests are trying to influence elections and why they may be giving.

While spending in the 2019 election was a dud, the 2019 campaign in retrospect was a quiet harbinger of a much bigger political shift that rocked the Legislature in 2021.

The 2019 election was the first time Republicans added seats since 2009. They did so by winning back the First Legislative District.

The district historically leaned Republican until a Democratic slate led by popular Dennis Township dentist Jeff Van Drew swept all three seats in November 2007. Van Drew was the first Democrat to hold the district's Senate seat in 70 years.

Democrats kept control until the 2019 wipeout. The district had become politically vulnerable when Van Drew, who had served either as a state Senator or Assembly member since 2002, won election to Congress (most likely sensing the shifting mood among his constituents, he later switched parties).

In the 2019 legislative election, Republican Mike Testa, a Vineland attorney whose family was well known in the district, led a slate that recaptured all three seats. Testa was elected state senator in a special election while two running mates won assembly seats.

Despite the Republican gains, Democrats retained large majorities in both the Senate (25-15) and Assembly (52-28). However, those margins were eroded more sharply in 2021 when Republicans picked up another Senate seat and six Assembly seats.

SUMMARY

Spending in the 1st Legislative District totaled \$3.1 million. It topped the 2019 battleground list (Table 16) though it wasn't nearly enough to make the top ten all-time list.

District clashes in the 21st and 8th Legislative Districts did make the top ten all-time most expensive elections with just assembly members on the ballot (Table 17).

Candidates received the most money (Table 10) from other candidates (\$3.3 million) followed by unions (\$3.2 million), legislative leadership committees (\$1.6 million), uncategorized businesses (\$884,451), state political parties (\$809,931) and county political parties (\$575,324).

Thirty committees each gave more than \$100,000 to legislative candidates (Table 11). The list includes nine candidate committees, nine unions, the four legislative leadership committees, two county parties and one each from six other sources.

The top 30 sources alone gave \$7.8 million- nearly a third of the \$24.1 million raised by legislative candidates for the general election.

Overall independent spending for the general election (Table 1) was just \$9.3 million- about a third of the \$26.6 million spent in 2017.

The top three independent spenders- General Majority PAC, Garden State Forward and NJ United- combined spent \$6.1 million, nearly two-third of all independent spending.

In four state elections including 2019, General Majority PAC spent about \$27.5 million (Table 21) while Garden State Forward invested \$38.9 million into four elections plus a state issue advocacy organization (Table 22).

One tiny trend that surfaced during the campaign was the use of texting (page 26) by legislative candidates. While the amount was small (less than \$23,000), it could signal a new strategy in legislative elections. Texting has become more prominent in recent gubernatorial and congressional races in New Jersey.

KEY FUNDRAISING TRENDS

Table 1 Fundraising and Spending in Legislative General Elections 2001-2019						
Year	Raised By Legislators	Spent by Legislators	Houses Running?	Independent Spending	Total Spending	Total In 2021 Dollars
2001	\$34,825,851	\$32,550,394	S, A	\$ 3,166,463	\$35,716,857	\$55,089,317
2003	\$47,911,008	\$44,990,255	S, A	\$ 4,857	\$44,995,112	\$66,759,786
2005	\$25,081,696	\$23,713,193	A	\$ 3,476	\$23,716,669	\$33,152,697
2007	\$50,797,317	\$47,231,847	S, A	\$ 165,000	\$47,396,847	\$62,406,466
2009	\$20,457,342	\$18,584,098	A	\$ 15,999	\$18,600,097	\$23,669,028
2011	\$45,656,674	\$44,024,272	S, A	\$ 1,835,500	\$45,859,772	\$55,658,891
2013	\$46,691,108	\$43,446,977	S, A	\$15,375,071	\$58,822,048	\$69,076,144
2015	\$22,883,719	\$22,632,814	A	\$10,908,983	\$33,541,797	\$38,634,407
2017	\$44,117,517	\$44,164,473	S, A	\$26,562,428	\$70,726,901	\$78,934,996
2019	\$24,097,296	\$21,626,895	A*	\$ 9,283,402	\$30,910,297	\$33,075,712

*Also special state Senate election in 1st District.

Table 2 Average Spent Per Legislative Seat And District (Inflation Adjusted)				
Year	Total Spending In 2021 Dollars	Contested Seats	Average Per Seat	Average Per District
2001	\$55,089,317	120	\$459,078	\$1,377,233
2003	\$66,759,786	120	\$556,332	\$1,668,995
2005	\$33,152,697	80	\$414,409	\$ 828,817
2007	\$62,406,466	120	\$520,054	\$1,560,162
2009	\$23,669,028	80	\$295,863	\$ 591,726
2011	\$55,658,891	120	\$463,824	\$1,391,472
2013	\$69,076,144	120	\$575,635	\$1,726,904
2015	\$38,634,407	80	\$482,930	\$ 965,860
2017	\$78,934,996	120	\$657,792	\$1,973,375
2019	\$33,075,712	81*	\$408,342	\$ 826,893

*80 Assembly seats and one Senate seat.

KEY FUNDRAISING TRENDS

Table 3
Legislative Fundraising and Spending by Party*

Year	Democrats Raised	Democrats Spent	Republicans Raised	Republicans Spent**
2001	\$19,344,839	\$18,350,917	\$15,433,716	\$14,144,262
2003	\$29,159,958	\$28,528,080	\$18,649,276	\$16,366,548
2005	\$17,560,153	\$16,522,626	\$ 7,514,067	\$ 7,176,582
2007	\$35,617,962	\$33,394,029	\$14,844,892	\$13,532,754
2009	\$14,674,311	\$13,188,346	\$ 5,682,968	\$ 5,267,534
2011	\$31,838,968	\$31,055,091	\$13,740,008	\$12,909,239
2013	\$31,023,841	\$28,724,119	\$15,579,153	\$14,635,432
2015	\$16,343,437	\$15,918,780	\$ 6,538,259	\$ 6,712,224
2017	\$32,755,854	\$31,613,363	\$11,342,193	\$12,531,796
2019	\$18,461,817	\$15,926,740	\$ 5,596,956	\$ 4,973,048

*Independent candidates in 2019 also raised \$38,523 and spent \$37,222.

**Spending may be larger than fundraising due to use of cash reserves.

KEY FUNDRAISING TRENDS

Table 4 Spending Advantage of Incumbent Legislators Over Challengers				
Year	Incumbents Spent	Challengers Spent	Incumbent Percent	Challenger Percent
2001	\$14,326,038	\$13,670,769	51%	49%
2003	\$25,376,630	\$15,069,233	63%	37%
2005	\$14,279,965	\$ 8,219,657	63%	37%
2007	\$22,242,726	\$21,160,907	51%	49%
2009	\$12,761,309	\$ 3,230,602	80%	20%
2011	\$32,174,797	\$11,849,475	73%	27%
2013	\$33,525,856	\$ 9,921,121	77%	23%
2015	\$17,331,766	\$ 5,301,048	77%	23%
2017	\$26,737,008	\$12,153,041	69%	31%
2019	\$15,557,546	\$ 5,379,464	74%	26%

Since 2001, an average of 97 percent of Assembly incumbents have won reelection. The reelection rate for 2019 was exactly that average- 97 percent.

Table 5 Number of Assembly Incumbents Winning Reelection by Year				
Year	Total	Won	Lost	Percent Won
2001	59	56	3	94.9
2003	72	68	4	94.4
2005	73	70	3	95.9
2007	54	53	1	98.1
2009	71	71	0	100
2011	66	65	1	98
2013	74	72	2	97.3
2015	74	70	4	95
2017	70	70	0	100
2019	73	71	2	97

The average contribution was \$1,954 in 2019, the lowest since 2001 except for two years when Clean Elections Programs drove down the average by encouraging small contributions.

KEY FUNDRAISING TRENDS

Table 6 Average Contributions to Legislative Candidates (Disclosed Contributions Only)	
Year	Average Contribution
2001	\$2,436
2003	\$2,803
2005	\$1,800*
2007	\$1,472*
2009	\$2,147
2011	\$2,501
2013	\$2,668
2015	\$2,093
2017	\$2,161
2019	\$1,954

*Clean Elections Program in effect, which led to a large number of small contributions.

Table 7 Range of Contributions Received by Legislative Candidates					
Range	Count	Percent Count	Amount	Percent Amount	Averages
>\$100,000	2	0.01%	\$ 420,000	3%	\$210,000
\$25,001 to \$100,000	43	0.3%	\$ 1,773,962	11%	\$ 41,255
\$5,001 to \$25,000	577	4%	\$ 5,457,287	34%	\$ 9,458
\$4,001 to \$5,000	183	1%	\$ 875,713	5%	\$ 4,785
\$3,001 to \$4,000	86	1%	\$ 317,119	2%	\$ 3,687
\$2,001 to \$3,000	738	4%	\$ 1,888,146	12%	\$ 2,558
\$1,001 to \$2,000	661	4%	\$ 1,102,792	7%	\$ 1,668
\$301 to \$1,000	4,198	26%	\$ 2,724,117	17%	\$ 649
\$300 or Less (Disclosed)	1,044	6%	\$ 161,294	1%	\$ 154
\$300 or Less (Undisclosed)	8,877*	54%*	\$ 1,367,039	8%	\$ 154
Totals	16,409	100%	\$16,087,469¹	100%	\$ 980^{**}

*Estimates assumes under \$300 contributions disclosed as part of a lump sum are the same average (\$154) as under \$300 contributions disclosed individually.

**Average for disclosed contributions is \$1,954.

¹ Excludes funds carried over from primary elections and adjustments for refunds.

KEY FUNDRAISING TRENDS

In the last white paper (28), a new analysis found that only three percent of all contributors gave more than \$5,000 but this group provided 47 percent of the total contributions. The large donor group includes both party committees and private contributors.

The trend held for the 2019 election with four percent of donors giving 48 percent of the contributions- roughly the same proportions.

Table 8				
Range of Contributions Received by Legislative Candidates- Small vs. Large				
Range	Count	Percent Count	Amount	Percent Amount
\$5,000 or less	15,787	96%	\$ 8,436,220	52%
>\$5,000	622	4%	\$ 7,651,249	48%
Totals	16,409	100%	\$16,087,469	100%

LEGISLATIVE SELF-FINANCING

Self-financing by legislative candidates has fallen sharply since peaking at nearly \$2.2 million in 2007.

Candidates in 2019 gave their own campaigns a combined \$58,533 based on inflation-adjusted numbers. That is the second lowest for the 19 legislation elections since 1983 with 1989 being the year of the least legislative self-financing.

Table 9 Top Five and Bottom Five Totals for Self-Financing in New Jersey Legislative Races 1983-2019		
Year	Total	Total-Inflation Adjusted
Top Five		
2007	\$1,668,928	\$2,197,444
2003	\$1,457,693	\$2,162,797
1997	\$ 777,497	\$1,322,486
1987	\$ 563,459	\$1,354,102
1993	\$ 448,300	\$ 846,971
Bottom Five		
1999	\$ 107,764	\$ 176,590
1985	\$ 42,196	\$ 107,060
2015	\$ 84,660	\$ 97,514
2019	\$ 54,814	\$ 58,533
1989	\$ 25,650	\$ 56,472

In 2019, Assembly candidates Martin Marks and Harris Pappas personally contributed a total of \$17,672 to their joint committee- the most self-financing for any candidate committee in the election.

The largest amount of self-financing by a legislative candidate remains the \$167,043 given by Joel Shain to his 1983 state Senate primary campaign- \$457,864 in current dollars.

SOURCES OF CONTRIBUTIONS TO LEGISLATIVE CANDIDATES

In previous white papers about legislative elections, the breakdown of contributions mainly focused on what political action committees gave the most money.

This report later includes that breakdown but it goes further by doing a more detailed look at the occupational sectors that participate in legislative elections along with party and candidate committees.

One trend that continues is the predominance of candidate committees as a source of contributions to other candidates.

Legislative candidates in 2019 received nearly \$3.3 million from other candidates, mostly legislative incumbents.

This generosity is one of the most tangible signs that most incumbents face little serious challenge in their own districts as evidenced by the fact that 97 percent of incumbents won reelection in 2019.

This frees up most incumbents to share their own campaign money with colleagues in the few districts that face real competition- the so-called battleground districts (more details on this appear in the next section).

SOURCES OF CONTRIBUTIONS TO LEGISLATIVE CANDIDATES

Table 10 General Sources of Contributions to Legislative Candidates			
Contribution Source	Total	Contribution Source	Total
Candidate Committees (Mostly Legislative)	\$3,272,160	Lobbyists	\$ 116,875
Unions	\$3,158,780	Alcoholic Beverages	\$ 107,854
Legislative Leadership Committees	\$1,643,695	Energy	\$ 99,233
Business- Uncategorized	\$ 884,451	Retired	\$ 78,358
State Political Party	\$ 809,931	Local Political Groups	\$ 77,740
County Political Party	\$ 575,324	Telecom	\$ 74,200
Lawyers	\$ 519,916	Municipal Party Committees	\$ 71,652
Real Estate	\$ 425,951	Supermarkets	\$ 58,410
Ideological Groups	\$ 416,421	Public Workers	\$ 41,437
Health Care	\$ 346,941	Horse Racing	\$ 40,400
Engineers	\$ 339,197	Accountants	\$ 35,310
Individuals- Affiliation Uncertain	\$ 310,270	Unemployed	\$ 34,591
Construction	\$ 269,884	Water	\$ 32,500
Insurance	\$ 215,148	Dentists	\$ 30,250
Drugs	\$ 166,320	Funeral Homes	\$ 27,200
Transportation	\$ 138,673	Others	\$ 179,682
Financial	\$ 121,675	Total	\$14,720,430

Rounding out the top 10 sources are unions, legislative leadership committees, uncategorized businesses, state political parties, county political parties, lawyers, real estate interests, ideological groups and donors from the health care sector.

Thirty committees each gave more than \$100,000 to legislative candidates. The list includes nine candidate committees, nine unions, the four legislative leadership committees, two county parties and one each from six other sources.

The top 30 sources alone gave \$7.8 million- nearly a third of the \$24.1 million raised by legislative candidates for the general election.

SOURCES OF CONTRIBUTIONS TO LEGISLATIVE CANDIDATES

Table 11
Contributors Giving More than \$100,000

Source	Category ²	Amount
New Jersey Democratic Assembly Campaign Committee*	LLC	\$1,045,916
New Jersey Republican State Committee*	SP	\$ 736,847
International Brotherhood of Electric Worker (IBEW) affiliates*	U	\$ 497,350
Laborers Union affiliates	U	\$ 450,550
Operating Engineers Union affiliates	U	\$ 382,000
Houghtaling For Assembly*	CC	\$ 344,000
Burzichelli For Assembly	CC	\$ 333,020
New Jersey Education Association	U	\$ 298,400
Downey For Assembly	CC	\$ 259,000
NJ Senate Democratic Majority	LLC	\$ 254,000
Senate Republican Majority	LLC	\$ 241,513
Realtors PAC*	RE	\$ 229,400
Freiman For Assembly	CC	\$ 220,000
Communications Workers of America affiliates	U	\$ 205,450
Carpenters Union affiliates	U	\$ 187,400
Zwicker For Assembly	CC	\$ 186,000
Plumbers Union affiliates	U	\$ 184,800
EFO Lisa Mandelblatt For Assembly	CC	\$ 180,122
New Jobs*	IC	\$ 176,400
New Jersey Association For Justice PAC	L	\$ 155,400
Burlington County Republican Committee*	CP	\$ 153,501
Election Fund of Craig J Coughlin For Assembly	CC	\$ 137,700
Ironworkers Union Affiliates	U	\$ 134,200
New Jersey Apartment Association PAC	RE	\$ 130,400
Blue PAC (Horizon Blue Cross Blue Shield employees)*	HC	\$ 122,400
Mazzeo For Assembly	CC	\$ 121,000
NJ Policemen's Benevolent Association and affiliates	U	\$ 117,100
Armato For Assembly	CC	\$ 105,000
Assembly Republican Victory	LLC	\$ 102,266
Gloucester County Democrat Executive Committee	CP	\$ 100,000
Total		\$7,791,135

*Top in category.

Since 2007, legislative candidate committees have received the largest percentage of their contributions from other legislative candidate committees. That trend held in 2019. Barely.

² CC=Candidate Committee; U=Union; SP=State Party; CP=County Party; RE=Real Estate; IC=Ideological Committee; L=Lawyers; HC=Health Care

SOURCES OF CONTRIBUTIONS TO LEGISLATIVE CANDIDATES

Back in 2003, candidates received \$4.1 million from other legislative candidates or 12 percent.

The 2019 legislative election drew just under \$3.3 million of its contributions from campaign funds, mostly legislative candidates- 22 percent of all itemized contributions.

Legislative candidate committees are major sources of money for other legislators because many incumbents represent politically safe districts and don't need a lot of cash, and because legislative candidates still can accept contributions of up to \$2,600 from state contractors.

Except for certain exceptions, state political party committees and legislative leadership committees can accept no more than \$300 from state contractors under pay-to-play laws that began taking effect in 2005.

Table 12 Contributions by Contributor Type to Legislative Candidates in 2019 (New Highs in Bold)			
Type	Total-\$	%	Highest Year (%)
Campaign Fund (Mostly Legislative)	\$3,271,160	22%	2011
Union PAC	\$3,134,630	21%	2019
Misc. Businesses- Direct	\$2,534,630	17%	2019
Legislative Leadership Committee	\$1,556,695	11%	2005
Political Party Committee	\$1,748,421	12%	2001
Professional/Trade Association PAC	\$1,147,960	8%	2009, 2017
Individual	\$ 481,327	3%	2017
Ideological PAC	\$ 423,521	3%	2001, 2007, 2019
Regulated Industries PAC	\$ 233,050	2%	2017, 2019
Misc. Business PAC	\$ 133,200	1%	2009, 2011
Political Committee	\$ 31,685	0.2%	2001
Union- Direct	\$ 24,150	0.2%	2009
Total	\$14,720,430	100%	

SOURCES OF CONTRIBUTIONS TO LEGISLATIVE CANDIDATES

Another trend is that legislative candidates in recent years have been relying more heavily on PACs. While the \$5.1 million poured into the 2019 was not an all-time high, the 34 percent share of itemized contributions did represent a new high point.

Year	Total PAC Dollars	% of Total Contributions
2001	\$3,558,171	14%
2003	\$4,603,534	14%
2005	\$3,212,830	18%
2007	\$6,123,214	16%
2009	\$3,675,039	25%
2011	\$6,485,603	22%
2013	\$7,141,747	23%
2015	\$4,671,762	33%
2017	\$8,164,821	31%
2019	\$5,072,362	34%

Union PACs since 2005 have been the major source among all PAC donors. That held true in 2019.

PAC Type	Amount	% of PACs
Union PAC	\$3,134,630	62%
Professional/Trade Association PAC	\$1,147,960	23%
Ideological PAC	\$ 423,521	8%
Regulated Industries PAC	\$ 233,050	5%
Misc. Business PAC	\$ 133,200	3%
All PAC Total	\$5,072,362	100%

Unions PACs have given more in the past than the \$3.1 million contributed in 2019.

However, the fact that 62 percent of all PAC contributions came from unions in 2019 was a new high.

SOURCES OF CONTRIBUTIONS TO LEGISLATIVE CANDIDATES

Table 15 Union PAC Contributions as a Percentage of Total Contributions to Legislative Candidates and Total Share of PAC Contributions (Highs in Bold)			
Year	Union PAC Contributions	% of Total Contributions	% of Total PAC Contributions
2001	\$1,055,100	4%	30%
2003	\$1,444,337	4%	31%
2005	\$1,305,840	7%	41%
2007	\$2,362,245	6%	39%
2009	\$1,505,830	10%	41%
2011	\$3,073,812	10%	47%
2013	\$3,935,864	13%	55%
2015	\$2,814,260	20%	60%
2017	\$4,574,763	17%	56%
2019	\$3,134,630	21%	62%

BATTLEGROUND DISTRICTS

Compared to most recent statewide elections, spending in key legislative districts in 2019 would be considered modest.

Compared to the 2017 election, which featured the most expensive legislative election in American history, it was downright miniscule.

The record-setting \$24.1 million spent in the Third Legislative District in 2017 was nearly eight times more than the \$3.1 million sunk into the First Legislative District in 2019.

The 2017 race alone cost far more than the \$16.8 million spent on the top ten races in 2019.

Those top races in 2019 did draw 54 percent of all spending.

Table 16			
Top 10 Legislative Districts by General Election Spending in 2019			
District	Candidates	Independents	Total
1*	\$ 1,935,358	\$1,140,830	\$ 3,076,188
21	\$ 2,004,850	\$ 671,138	\$ 2,675,988
8	\$ 1,304,381	\$ 855,455	\$ 2,159,836
11	\$ 1,544,719	\$ 273,299	\$ 1,818,018
16	\$ 1,523,076	\$ 250,225	\$ 1,773,301
25	\$ 1,214,461	\$ 117,579	\$ 1,332,040
2	\$ 978,897	\$ 335,310	\$ 1,314,207
3	\$ 1,111,347	\$ 225	\$ 1,111,572
19	\$ 836,559		\$ 836,559
36	\$ 732,223		\$ 732,223
Top Ten	\$13,185,871	\$3,644,061	\$16,829,932
All Districts	\$21,626,895	\$9,283,402 ³	\$30,910,297
Top Ten Only	61%	39%	54%

*Includes special state Senate election; all other 2019 elections involved Assembly candidates only.

While none of the 2019 district contests made the all-time top ten list of most expensive state legislative races, contests in the 21st and Eighth Legislative Districts did crack the top ten Assembly-only list.

³ Most independent spending is not broken out by legislative district, either because it is spending that affects multiple districts such as polling or consulting, or committees weren't required by current disclosure laws from providing such a breakdown.

BATTLEGROUND DISTRICTS

Based on inflation-adjusted numbers, the 21st Legislative District ranked 5th while the Eighth Legislative District race made number 10.

Table 17*				
Top 10 All-Time Costliest Assembly-only Elections				
Year	District	Spending	Inflation-Adjusted Spending	Rank
2005	2	\$4,458,631	\$6,245,439	1
2015	2	\$5,193,557	\$5,994,447	2
2015	1	\$3,607,734	\$4,164,077	3
2009	1	\$2,410,257	\$3,073,441	4
2019	21	\$2,675,988	\$2,863,454	5
2015	38	\$2,237,460	\$2,582,495	6
2005	12	\$1,834,857	\$2,570,181	7
2005	14	\$1,827,804	\$2,560,301	8
2005	11	\$1,742,488	\$2,440,795	9
2019	8	\$2,109,998	\$2,257,813	10

*Ranked by inflation-adjusted spending.

While the \$3.1 million clash in the first district topped all others in 2019, it was far smaller than the record for the district- a \$5 million contest in 2007 worth \$6.6 million in today's dollars.

The First Legislative District ranks as the third most expensive legislative battleground statewide between 2001 and 2019 at \$26.3 million.

Table 18						
Battleground Districts With Most Spending- 2001-2019						
Legislative District	Total District Spending 2001-2019	Rank	Costliest Race	Year	Number of Years Top Race	Number of Year Among Top Five Races
3	\$44,580,181	1	\$24,102,940*	2017	2	5
2	\$32,596,271	2	\$ 5,806,467	2011	3	6
1	\$26,307,483	3	\$ 4,975,772	2007	2	6
38	\$22,855,570	4	\$ 5,910,318	2013	1	4
14	\$22,429,654	5	\$ 3,870,063	2013	1	7

*The 2017 3rd District race is believed to be the costliest state legislative race in US history.

IMPACT OF INDEPENDENT GROUPS

Two years after the most expensive legislative election in New Jersey history, including a record \$26.6 million spent by independent committees in the general election, independent spending fell sharply in the 2019 legislative general election.

Independent committees, which are not supposed to be directly controlled by parties or candidates, spent about \$9.4 million in the 2019 general election. The amount is about a third of the 2017 total.

After providing about 38 percent of all spending in the general election in 2017, the largest percentage ever in a New Jersey legislative election, the independent spending share sank to about 30 percent.

One reason may have been because only Assembly seats were in play except for a special state Senate election in the 1st Legislative District. Most of the biggest spending in legislative races has involved Senate seats.

Among the assembly seats up for reelection, few were highly competitive. Independent groups tend to be most active in districts likely to shift one way or another.

Another factor that may have toned down spending may have been that one of the biggest spenders in the 2017 election, General Majority PAC, was still paying off loans from that year.

Another major independent spender in 2017, New Jerseyans for a Better Tomorrow, disbanded after the election.

Year	Spent By Legislators	Independent Spending	Total Spending	%
2001	\$32,550,394	\$ 3,166,463	\$35,716,857	8.9%
2003	\$44,990,255	\$ 4,857	\$44,995,112	0.01%
2005	\$23,713,193	\$ 3,476	\$23,716,669	0.01%
2007	\$47,231,847	\$ 165,000	\$47,396,847	0.3%
2009	\$18,584,098	\$ 15,999	\$18,600,097	0.1%
2011	\$44,024,272	\$ 1,835,500	\$45,859,772	4.0%
2012*	\$ 758,612	\$ 299,049	\$ 1,057,661	28.3%
2013	\$43,446,977	\$15,375,071	\$58,822,048	26.1%
2015	\$22,632,814	\$10,908,983	\$33,541,797	32.5%
2017	\$44,164,473	\$26,562,428	\$70,726,901	37.6%
2019**	\$21,626,895	\$ 9,283,402	\$30,910,297	30.0%

*Special election involving just three Assembly seats.

**Special state Senate election in 1st Legislative District.

IMPACT OF INDEPENDENT GROUPS

The biggest independent spender in the 2019 general election was a familiar name- General Majority PAC, which spent about \$3 million. It has been one of the top spenders in New Jersey legislative elections since 2013.

Table 20 Independent Spending in 2019 New Jersey Legislative General Election	
Independent Spender	Total
General Majority PAC	\$3,003,710
Garden State Forward (NJEA)	\$1,723,276
NJ United ⁴	\$1,411,073
Carpenters Action Fund	\$ 687,976
NJ Coalition of Real Estate	\$ 662,569
Working for Working Americans (Carpenters)	\$ 500,000
Stronger Foundations (Operating Engineers)	\$ 488,642
Monday Morning New Jersey	\$ 350,000
Growing Economic Opportunities (Laborers)	\$ 230,313
Just the Facts NJ	\$ 154,171
NJ League of Conservation Voters	\$ 41,485
Citizens for Ice	\$ 25,246
NJ Right to Life	\$ 4,941
Grand Total	\$9,283,402

The group first appeared using the name Fund for Jobs Growth and Security during the 2013 election. The media has consistently linked the group to South Jersey Democratic Leader George Norcross, who also has been a major lender. Nearly all of its spending has been earmarked for South Jersey legislative districts.

General Majority PAC is a 527 political organization that files reports voluntarily with ELEC that detail its contributions and expenditures. As a federally constituted independent spending committee, it can accept unlimited contributions and spent unlimited sums.

It has focused exclusively on legislative elections.

The committee funds have dwindled since the 2019 election to a mid-October balance of \$40,765.

⁴ New Jersey United is a 501c4 social welfare committee organized by supporters of Democratic Assembly Speaker Craig Coughlin. It did not disclose its spending until it filed a 990 form with the IRS on May 6, 2020. It reported raising \$3.4 million and spent \$2.9 million during 2019. It certified that about \$1.4 million of its total spending was for “direct and indirect political campaign activities.” NJ United did voluntarily disclose its contributors in December 2019. The largest was NJEA, which gave \$2,750,000 through Garden State Forward, its 527 political organization. Its pro-rated share of the NJ United’s spending was \$1,148,742. Carpenters Action Fund gave \$300,000 to NJ United. Its pro-rated share was \$125,317. Growing Economic Opportunities, an independent group run by the Laborers union, gave \$150,000 to NJ United. Its pro-rated share was \$62,659. Contributions by one independent group to another are considered separate expenditures and are listed as such on ELEC’s summary chart.

IMPACT OF INDEPENDENT GROUPS

Between 2015 and 2018, General Majority also operated an offshoot group named General Growth Fund that raised \$3.9 million, according to form 990 reports filed with the IRS. Now disbanded, it was a 501c4 social welfare group that provided general expense information to the IRS but has never disclosed its donor names.

In its 990 reports, General Growth certified that it spent \$824,344 on “direct and indirect political campaign activities” during its four-year existence. Only \$43,264 was disclosed in reports filed with ELEC.

General Majority and its affiliates spent about \$27.5 million between 2013 and 2019.

Table 21 Spending by General Majority PAC and Affiliates 2013-2019		
Election Year	Group	Amount
2019	General Majority PAC	\$ 3,003,710
2017	General Majority PAC	\$ 9,618,920
2017, 2016, 2015	General Growth Fund	\$ 824,344
2015	General Majority PAC	\$ 6,050,760
2013	Fund for Jobs, Growth and Security	\$ 8,017,190
	Total	\$27,514,924

Garden State Forward, which spent an estimated \$1.7 million on the 2019 legislative elections, also is one of the heavyweights in New Jersey elections.

Garden State Forward is a federal 527 political organization formed by the New Jersey Education Association in March 2013. It can accept unlimited contributions and engage in unrestricted expenditures.

Unlike General Majority, Garden State Forward has participated in gubernatorial, legislative and local elections. It has spent an estimated \$28.4 million on state elections in 2013, 2015, 2017 and 2019.

Garden State Forward also has contributed \$10,500,000 to New Direction NJ, a 501c4 non-profit group that promotes Governor Phil Murphy’s policy agenda, since New Direction’s formation in November 2017.

IMPACT OF INDEPENDENT GROUPS

Table 22 Garden State Forward Spending 2013-2021*			
Year	Group	Amount	Purpose
2017-2021	Garden State Forward to New Direction NJ	\$10,500,000	State Issue Advocacy
2019	Garden State Forward	\$ 1,723,276	Legislative Elections
2017	Garden State Forward	\$ 8,171,209	Gubernatorial / Legislative elections
2015	Garden State Forward	\$ 3,953,545	Legislative Elections
2013	Garden State Forward	\$14,598,194	Gubernatorial / legislative elections
	Total	\$38,946,224	

*Total excludes spending during years when there were no state elections.

The third biggest independent spender on the 2019 legislative elections was a relative newcomer, NJ United.

NJ United was formed in 2018 by supporters of Democratic Assembly Speaker Craig Coughlin. The group is a 501c4 social welfare non-profit group that does not report to ELEC. It is required to file 990 forms each year with the Internal Revenue Service.

501c4 non-profits generally are exempt from disclosing their contributor names. However, in December 2019, the group voluntarily disclosed nearly \$3.4 million it received from 16 donors. The largest contribution was from Garden State Forward- \$2,750,000 (see footnote 4, page 18).

During the 2019 legislative election, little was known about NJ United’s spending though ELEC was able to verify \$90,000 in television advertising through a media ad tracking company.

In fact, NJ United’s 2019 form 990 indicated it spent a total of \$1,411,073 on “direct and indirect political campaign activities” – about 48 percent of its total fundraising. Social welfare groups are permitted to spend up to half their funds on election-related activities.

While the IRS-mandated report gave no detailed breakdown of expenditures, it did say the group spent \$505,600 on television and digital ad buys, \$376,657 on polling and \$805,383 on direct mail and administrative services.

Newspaper accounts and some videos posted on NJ United’s website indicated the group sent out political mailers and/or did video advertising in legislative districts 16, 25 and 39.

Democrats have controlled the governor’s seat since January 2018, and both legislative houses since January 2002. Most spending by independent committees benefits the majority party.

IMPACT OF INDEPENDENT GROUPS

Table 23 Breakdown of Spending by 2019 Independent Spending by Party		
Party	Total Independent Spending	Percent of Total
Democrat	\$7,591,415	82%
Republican	\$1,167,453	13%
Party Unknown	\$ 524,534	6%
Total	\$9,283,402	100%

MEDIA SPENDING

Even though mass media spending was down sharply in 2019 to \$12.4 million, it remains the largest expense of legislative candidates at 40 percent of all outlays.

The share was below the 45 percent average since 2001 and well below the record high of 56 percent in 2001.

Year	Mass Media Spending	Percent of All Spending
2001	\$ 15,894,343	56%
2003	\$ 22,763,046	54%
2005	\$ 11,641,252	55%
2007	\$ 22,284,576	53%
2009	\$ 6,054,152	35%
2011	\$ 14,426,075	33%
2013	\$ 21,607,970	41%
2015	\$ 12,500,784	37%
2017	\$ 34,921,646	49%
2019	\$ 12,456,761	40%
	Average	45%

After mass media spending, the largest categories of spending were contributions to other candidates or committees (\$7.7 million, 25 percent), transfer to next election (\$3.2 million, 10 percent) and administration (\$1.8 million, 6 percent).

MEDIA SPENDING

Table 25
All Spending Categories-
Legislative Candidates and Independent Groups (Sorted By Combined)

Categories	Candidates	Percent	Independent Groups	Percent	Combined	Percent
Media	\$8,356,593	39%	\$4,100,168	44%	\$12,456,761	40%
Contributions- Political	\$5,084,587	24%	\$2,636,718	28%	\$ 7,721,305	25%
Transfer To Next Election	\$3,162,028	15%			\$ 3,162,028	10%
Administration	\$1,699,946	8%	\$ 159,879	2%	\$ 1,859,825	6%
Unknown	\$ 31,576	0.1%	\$1,321,073	14%	\$ 1,352,649	4%
Fundraising/ Entertainment	\$1,144,869	5%	\$ 17,300	0.2%	\$ 1,162,169	4%
GOTV	\$ 631,431	3%	\$ 504,646	5%	\$ 1,136,077	4%
Research And Polling	\$ 639,926	3%	\$ 477,978	5%	\$ 1,117,904	4%
Consulting	\$ 379,887	2%	\$ 41,260	0.4%	\$ 421,147	1%
Contributions- Charitable	\$ 301,393	1%			\$ 301,393	1%
Multiple Purposes	\$ 123,212	1%			\$ 123,212	0.4%
Compliance	\$ 55,982	0.3%	\$ 24,205	0.3%	\$ 80,187	0.3%
Refund	\$ 15,466	0.1%	\$ 174	0.002%	\$ 15,641	0.1%
Total	\$21,626,896	100%	\$9,283,402	100%	\$30,910,298	100%

While less traditional forms of media are growing, including digital, television, mainly on network and cable TV stations, remains the mainstay for candidates.

MEDIA SPENDING

Table 26
Mass Media Spending by Legislative Candidates and Independent Groups

Media Spending	Candidates	Percent	Independent Groups	Percent	Combined	Percent
Cable TV	\$3,824,374	46%	\$ 370,142	9%	\$ 4,194,516	34%
Mail	\$1,935,494	23%	\$1,208,730	29%	\$ 3,144,224	25%
TV	\$ 538,225	6%	\$1,598,718	39%	\$ 2,136,943	17%
Production	\$ 725,042	9%	\$ 305,546	7%	\$ 1,030,588	8%
Digital	\$ 421,122	5%	\$ 406,667	10%	\$ 827,789	7%
Mixed	\$ 197,480	2%	\$ 195,831	5%	\$ 393,311	3%
Billboards	\$ 234,090	3%			\$ 234,090	2%
Uncategorized	\$ 219,279	3%			\$ 219,279	2%
Robocalls	\$ 132,627	2%			\$ 132,627	1%
Newspapers And Other Print	\$ 70,548	1%			\$ 70,548	1%
Printing	\$ 38,947	0.5%	\$ 10,034	0.2%	\$ 48,981	0.4%
Radio	\$ 19,365	0.2%			\$ 19,365	0.2%
Texting			\$ 4,500	0.1%	\$ 4,500	0.04%
Totals	\$8,356,593	100%	\$4,100,168	100%	\$12,456,761	100%

In recent years, ELEC has estimated television expenditures by assuming 75 percent of uncategorized or mixed media went to television advertising. Adding that figure to known cable and television expenditures brings total television advertising for 2019 to \$6.8 million- about 55 percent of all media spending. That is down from a record 58 percent in 2017.

Table 27
Estimated Television Spending by Year

	2005	2007	2009	2011
Known TV	\$ 1,597,313	\$ 2,356,953	\$ 619,558	\$1,577,335
Known Cable TV	\$ 43,113	NA	\$ 66,637	NA
75 % of Uncategorized or Media Mixed	\$ 3,982,418	\$ 9,690,578	\$ 1,449,159	\$5,111,141
Estimated TV	\$ 5,622,844	\$12,047,531	\$ 2,135,354	\$6,688,476
% of Total Spending	48%	54%	35%	46%
Total Media Spending	\$11,641,252	\$22,284,576	\$ 6,054,152	\$14,426,075
	2013	2015	2017	2019
Known TV	\$ 4,636,453	\$4,186,117	\$13,643,319	\$2,136,943
Known Cable TV	\$ 806,842	\$ 305,842	\$ 3,777,826	\$4,194,516
75 % of Uncategorized or Media Mixed	\$ 5,582,487	\$2,258,468	\$ 2,926,643	\$ 459,443
Estimated TV	\$11,025,782	\$6,750,427	\$20,347,787	\$6,790,902
% of Total Spending	51%	54%	58%	55%
Total Media Spending	\$21,607,970	\$12,500,786	\$34,921,646	\$12,456,761

Non-MEDIA SPENDING

Candidates and independent committees are doing a better job of reporting their expenditures with unidentified media expenses falling to just 2 percent. Direct mail remained a mainstay of legislative campaigns at 25 percent of all media expenses.

Radio expenditures dropped sharply to just 0.2 percent. One third less was spent on digital media but it remained 7 percent of all media outlays.

Table 28
Non-Television Media Categories
2001-2019

	2001	2003	2005	2007	2009	2011	2013	2015	2017	2019
Unidentified	\$2,447,178	\$11,181,893	\$5,309,891	\$12,920,770	\$1,932,212	\$6,814,855	\$7,443,315	\$2,550,209	\$2,660,966	\$ 219,279
Percent	15%	49%	46%	58%	32%	47%	34%	20%	7%	2%
Direct Mail	\$5,994,869	\$ 5,962,443	\$3,507,614	\$ 5,893,596	\$2,905,523	\$3,986,659	\$6,158,651	\$3,368,943	\$7,588,251	\$3,144,324
Percent	38%	26%	30%	26%	48%	28%	28%	27%	22%	25%
Radio	\$ 792,621	\$ 671,060	\$ 277,106	\$ 658,997	\$ 179,586	\$ 224,409	\$ 715,511	\$ 589,662	\$940,246	\$ 19,365
Percent	5%	3%	2%	3%	3%	2%	3%	5%	3%	0.2%
Newspapers	\$ 449,253	\$ 648,988	\$ 309,548	\$ 143,298	\$ 89,417	\$ 132,487	\$ 105,955	\$ 102,709	\$192,453	\$ 70,548
Percent	3%	3%	3%	1%	1%	1%	0.50%	1%	1%	0.4%
Billboards	\$ 393,899	\$ 491,143	\$ 639,779	\$ 235,307	\$ 174,194	\$ 324,226	\$ 243,133	\$ 146,976	\$276,717	\$ 234,090
Percent	2%	2%	5%	1%	3%	2%	1%	1%	1%	2%
Digital	\$ 40,090	NA	NA	\$ 75,655	\$ 150,417	NA	\$ 269,382	\$ 144,702	\$2,422,998	\$ 827,789
Percent	NA	NA	NA	0.30%	2%	NA	1%	1%	7%	7%
Robocalls	\$ 86,639	\$ 38,884	NA	NA	\$ 1,934	\$ 52,967	\$ 54,923	\$ 50,716	\$246,888	\$132,627
	1%	0.30%	NA	NA	0.03%	0.40%	0.30%	0.40%	1%	1%

Non-MEDIA SPENDING

Following another long trend, a large share (35 percent) of candidate funds either went to other candidates or was rolled over to their next campaign. This is a sign that most incumbent candidates face little threat of defeat and can afford to share their campaign money with party colleagues in more tightly contested districts and/or just keep more money for the next election.

Table 29 Contributions to Other Candidates and Committees and Transfers to Future Campaign					
	2001	2003	2005	2007	2009
Political Contributions	\$ 5,219,286	\$ 7,392,713	\$ 5,001,171	\$9,485,909	\$4,958,467
Transfers to Next Campaign	\$ 478,328	\$ 1,175,233	NA	\$2,105,018	\$2,272,267
Total	\$ 5,697,614	\$ 8,567,946	\$ 5,001,171	\$11,590,927	\$7,230,734
Percent	20%	20%	24%	28%	42%
	2011	2013	2015	2017	2019
Political Contributions	\$13,906,135	\$20,243,491	\$11,109,040	\$16,039,747	\$ 7,721,305
Transfers to Next Campaign	\$ 6,431,152	\$ 4,933,748	\$ 3,045,204	\$5,027,090	\$ 3,162,028
Total	\$20,337,287	\$25,177,239	\$14,154,244	\$21,666,837	\$10,883,333
Percent	46%	43%	42%	30%	35%

With only the assembly up for reelection except for one special senate election, it was no surprise that most non-media spending was light compares to previous years.

One trend that surfaced in the 2019 election was the use of texting mostly by Sen. Mike Testa (R-1st). Testa spent nearly \$23,000 on texting as part of his successful candidacy (one other candidate in a different district spent \$100). ELEC was unable to find any spending on texting by legislative candidates in the 2017 election.

Texting is not new in federal elections. It has been used by presidential campaigns dating back to Barack Obama and by congressional candidates, including in New Jersey. Democratic Rep. Josh Gottheimer (5th District) sent 220,000 texts during a primary election in 2020.⁵

Some state candidates, such as California Governor Arnold Schwarzenegger, also have exploited the technology for campaign purposes. And the Republican Governor's Association employed the outreach tool in the 2021 New Jersey gubernatorial election.

For now, use of this micro-targeting tool remains a micro-trend in New Jersey legislative elections.

⁵ Tully, Tracey "Why the Stakes are So High in New Jersey's Primary This Year," New York Times, July 7, 2020.

Non-MEDIA SPENDING

Table 30
Non-Media Spending 2001-2019 (Highs in Bold)

Category	2001	2003	2005	2007	2009
Fundraising	\$ 811,233	\$ 767,468	\$ 541,807	\$1,119,352	\$1,106,917
Percent	3%	2%	3%	3%	6%
Consulting	\$1,080,974	\$3,309,063	\$1,732,673	\$1,388,125	\$ 871,210
Percent	4%	8%	8%	3%	5%
Polling	\$ 570,535	\$ 882,162	\$ 541,359	\$ 854,971	\$ 295,951
Percent	2%	2%	3%	2%	2%
Election Day	\$ 492,990	\$ 622,507	\$ 201,101	\$ 658,715	\$ 245,885
Percent	2%	1%	1%	2%	1%
Charitable Donations	\$ 350,328	\$ 433,778	\$ 324,368	\$ 267,030	\$ 166,184
Percent	1%	1%	2%	1%	1%
Administrative Expenses	\$ 856,679	\$2,910,023	\$ 819,081	\$2,633,627	\$ 843,671
Percent	3%	7%	4%	6%	5%
Refunds	\$ 680,096	\$ 637,288	NA	\$ 859,046	\$ 178,803
Percent	2%	2%	NA	2%	1%
Category	2011	2013	2015	2017	2019
Fundraising	\$1,738,756	\$1,575,244	\$ 935,539	\$2,246,662	\$1,162,169
Percent	4%	3%	3%	3%	4%
Consulting	\$2,370,730	\$1,967,233	\$ 913,026	\$1,065,005	\$ 421,147
Percent	5%	4%	3%	2%	1%
Polling	\$1,041,827	\$2,243,067	\$1,493,303	\$2,499,868	\$1,117,904
Percent	2%	4%	4%	4%	4%
Election Day	\$ 564,394	\$2,229,452	\$1,395,232	\$ 760,792	\$1,136,077
Percent	1%	4%	4%	1%	4%
Charitable Donations	\$ 427,461	\$ 509,670	\$ 378,020	\$ 482,241	\$ 301,393
Percent	1%	1%	1%	1%	1%
Administrative Expenses	\$2,410,481	\$2,352,280	\$1,500,763	\$6,951,018	\$1,859,825
Percent	5%	4%	5%	10%	6%
Refunds	\$ 164,356	\$ 51,556	\$ 89,687	\$ 182,418	\$ 15,641
Percent	0.40%	0.50%	0.30%	0.30%	0.1%

RECOMMENDATIONS

Perhaps the most noteworthy aspect of the 2019 legislative election is that it featured what is believed to be the largest expenditure ever by a group that can truly be classified as a “dark money” spender.

Ordinarily, a 501c4 social welfare group such as NJ United is not required to disclose its political donors even to the Internal Revenue Service, which is supposed to receive annual reports from such non-profits annually.

In the case of NJ United, it voluntarily disclosed its contributor names, though only after the 2019 legislative election. Months later, it told the IRS in its annual report that it had spent \$1.4 million on the legislative election. That represented 48 percent of its total spending, which was \$3.4 million. 501c4 groups are not supposed to spend more than half their funding on elections.

It gave only general totals for its spending, such as \$505,600 to Canal Partners in Atlanta for “tv/digital buy.”

ELEC is aware from news stories and an ad tracking service that NJ United was spending money in Districts 16, 25 and 39. NJ United itself gave no such breakdown.

NJ United should be commended for voluntarily revealing its political donors. So should other independent groups that, fortunately, have done so in recent New Jersey elections.

But transparency shouldn’t be viewed simply as an act of charity towards voters. It should be a civic obligation and a tool for accountability that is backed by a long overdue update in state law. Otherwise these “stealth PACs” could dominate elections.

In seeking disclosure by independent spenders, ELEC is not saying they should not have a voice in elections. The U.S. Supreme Court has ruled they can spend whatever they want. But the same court repeatedly has declared that voters also are entitled to know who is speaking.

Candidates, parties and traditional political action committees have been fully disclosing their campaign finance activities for decades. Such disclosure helps agencies like ELEC and the Attorney General’s office spot legal violations and act against offenders.

Few have articulated the need for the disclosure better than former Republican Governor Tom Kean.

The nastiness of the 2000 congressional primaries included an attack by dark money spenders on Kean’s son Tom Jr, who lost a primary bid in his first run for office that year. It prompted a public hearing at which former Governor Kean was highly critical of the secret election spenders.

He likened them to “termites getting at the roots of democracy.”⁶

⁶ Laura Mansnerus, “After Some Very Ugly Races, Campaign Reform Has Allure,” New York Times, July 16, 2000.

RECOMMENDATIONS

“I don’t believe there’s a place in democracy for people who hide in the dark...If someone wants to attack you, if someone wants to attack me, that’s fine. Sign your name,” he said.⁷

Twenty-one years later, his zeal for disclosure remains strong. In a recent interview with Executive Director Jeff Brindle⁸, Kean called secret election spending a threat to democracy that “hasn’t gotten better, its worse.”

“Democracy, you know, is fragile and you’ve got to take care of it. And we’re not taking care of it the way we should, particularly with this dark money. It’s an abomination. It really is,” he said.

ELEC agrees that stronger disclosure for independent spenders remains an urgent priority.

Since 2010, ELEC has called for and proposed legislative change that would require independent special interest spenders to disclose their donors to enable voters to know who is behind these efforts to influence elections. It would include spending on electioneering ads that tie candidates to issues in an election year. No such disclosure currently is required.

About 25 states require far more disclosure by independent spending committees than New Jersey. Bills are pending in the legislature that should pass constitutional muster while ensuring that voters are better aware of who is calling the shots in elections.

ELEC also has suggested changes to try to reinvigorate political parties, which already are transparent and accountable and can serve as a counter-weight to independent spending committees.

Party fundraising has declined sharply since the mid-2000s due to tight contribution limits on public contractors and a shift of contributions away from parties to independent spenders.

To help reverse these trends, ELEC’s top priorities for legislative change include:

- ❖ Independent spenders should be required to file disclosure reports with ELEC listing significant contributions whether they expressly advocate the election or defeat of a candidate or ballot question, or whether they use issued-oriented advertisements that might not include phrases like “vote for” or “vote against” yet are clearly aimed at electing or defeating a candidate or ballot question. Current law requires independent groups to disclose only expenditures if they engage in express advocacy. It requires no disclosure for issue-style election advocacy except in one narrow case.⁹

⁷ Joe Donohue, “Kean Calls for Exposing Secret Donors,” The Star-Ledger, July 13, 2000.

⁸ Available at https://www.elec.nj.gov/aboutelec/ELEC_OralHistory.htm.

⁹ Gubernatorial candidates who use non-profit groups to promote themselves within the previous four years of their election year, or during it, must disclose the campaign finance activity of such groups.

RECOMMENDATIONS

- ❖ End the \$300 limit on most contributions from public contractors to state, county and political parties while imposing it on continuing political committees, or PACs.
- ❖ Raise general contribution limits for non-gubernatorial candidates, parties and political committees for the first time since 2005. Contribution limits gubernatorial candidates are adjusted for inflation every four years.
- ❖ Let state parties spend directly on gubernatorial elections.

PREVIOUS WHITE PAPERS

- Number One:** [Contribution Limits and Prohibited Contributions](#) (1988)
- Number Two:** [Trends in Legislative Campaign Financing: 1977-1987](#) (1989)
- Number Three:** [Legislative Public Financing](#) (1989)
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