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Office of Legislative Services
Commission Secretary
(609) 292-9106
(609) 777-2998 fax

New Jersey State Legislature

NEW JERSEY CITIZENS' CLEAN ELECTIONS COMMISSIO

STATE HOUSE ANNEX
PO BOX 068
TRENTON NJ 08625-0068

PRESS RELEASE

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Date: February 7, 2006
Contact: Frank J. Parisi, Secretary,
New Jersey Citizens' Clean Elections Commission
Phone: (609) 292-9106
Fax: (609) 777-2998

“CLEAN ELECTIONS” REPORT ISSUED

Trenton, New Jersey—A series findings and issues of concern relating to the 2005 clean elections pilot project are the subject of the preliminary report of the New Jersey Citizens' Clean Election Commission (NJCCEC). The report was issued today at 11 AM at a press conference at the State House.

The report, which is based largely on the testimony gathered from candidates who participated in the pilot project and representatives of advocacy groups that closely followed the experiment, offers the commissioners' views on where the program was successful and where it fell short in the two legislative districts where it was used during the last general election. Two candidates out of a possible six in those districts--the 6th in Camden county and the 13th in Monmouth and Middlesex counties—were elected following the provisions of the pilot project established by P.L.2004, c.121.

The key findings include:

1) The Fair and Clean Elections project is worth continuing. The experience of the 2005 pilot project offered promise, and was positive and informative.

2) Participating clean elections candidates were required to collect too many qualifying contributions.

3) There was no supportable rationale for having two qualifying contribution amounts at \$5 and \$30.

4) The time permitted by law was not sufficient for participating candidates to collect the number of contributions required to become certified clean elections candidates.

5) The \$3,000 seed money limit for participating candidates was too low.

6) There was confusion in regard to what constituted an in-kind contribution to a participating candidate.

7) The paperwork required by current law to make a contribution to a participating candidate was burdensome and counterproductive.

8) By awarding to certified clean elections candidates the public funds that were forfeited by an unsuccessful participating candidate in the same district, the law penalized those participating candidates who tried to become certified clean elections candidates but were unsuccessful.

9) The pilot project lacked specificity and clarity with respect to the requirements of participating candidates to report qualifying contributions to the Election Law Enforcement Commission (ELEC).

10) Individuals who made a qualifying contribution were not provided with sufficient information as to the ultimate disposition of that contribution, nor were they provided with sufficient information about what happened to the contribution if the candidate for whom it was given did not qualify as a certified clean elections candidate.

11) The pilot project gave no rationale for providing a third-party or independent candidate who became a certified clean elections candidate with half the amount of public funding provided to a major party candidate.

12) There was a need for greater public awareness of the clean elections pilot project.

13) The pilot project requirement that a voter's guide be created was insufficient to inform the general public about the candidates and their campaigns.

14) There was a need to increase the number of financial instruments, including cash and credit cards, available to make a financial contribution to a participating candidate.

15) The pilot project should apply to the primary elections.

16) It is essential that the pilot project be reauthorized and expanded for 2007.

17) There was a need for ELEC to administer the pilot project and to provide adequate public information about the project.

18) The New Jersey Citizens' Clean Election Commission (NJCCEC) should continue to perform its vital functions after the issuance of its final report in May 2006.

The following are issues of concern identified by the commission.

a) Whether there was a rationale for requiring that candidates for the office of member of the General Assembly who were members of the same political party both needed to become certified clean elections candidates for either of them to receive public funds for their campaigns;

b) Whether the calculation for the amount of funding given to a certified clean elections candidate, as specified in P.L.2004, c.121, was flawed because it was based in part on expenditures a candidate made to individuals, groups and committees in other parts of the State and not just on expenditures made in connection with the campaign for office and if the calculation is incorrect, what the amount of funding should be;

c) Whether to require that an individual be a certified clean elections candidate in the primary election in order to seek election as a certified clean elections candidate in the general election;

d) Whether the payment of additional public money to a certified clean elections candidate should be triggered when: (1) a nonparticipating candidate expends more money than a certified candidate; (2) when a candidate does not qualify or attempt to qualify as a certified clean elections candidate; or (3) if independent expenditures are made in support of a nonparticipating candidate or another certified clean elections candidate in the same legislative district;

e) Whether it is possible to develop a method of providing public financing to clean elections candidates in a primary election that is fair and equitable in each

county, as each of the current methods presents many challenges;

f) When the selection of participating districts should be made;

g) Whether a certified clean elections candidate who is unopposed in a primary or general election should be eligible for less public funding than a candidate who has an opponent in either election who is either a certified candidate or a nonparticipating candidate.

h) What should be the disposition of seed money? Should a candidate who raises it be permitted to keep it if he or she fails to become a certified clean elections candidate?;

i) What steps need to be taken to maximize the dissemination of information to the public regarding clean elections?;

j) Whether a tiered system for qualifying contributions should be established, so that a participating candidate who receives more than a minimum number of contributions receives public financing in proportion to the tiered threshold of contributions received;

k) At what point can a participating candidate begin to solicit or receive qualifying contributions?;

l) Whether a maximum of \$200 is the appropriate amount for a seed money contribution to a participating candidate from an individual contributor;

m) Whether to recommend the establishment of a statutory deadline by which time a certified clean elections candidate can apply to withdraw from the program without penalty;

n) Whether to require that all campaign contributions for clean elections candidates be promptly forwarded directly to ELEC or handled by the individual candidate or candidates;

o) Whether clean elections candidates from the same political party in a legislative district must run as a team to receive public financing or whether each clean elections candidate can run independently;

p) The role of political committees, continuing political committees, political party committees and legislative leadership committees in clean election districts; whether and how such organizations, as well as other organizations, may assist clean candidates in collecting qualifying contributions;

q) Whether funding will be provided in the Annual Appropriations Act to explain the clean elections program to the public, and whether such efforts will

begin as soon as possible so that voters are prepared for clean elections candidates in the next election;

r) Whether for the 2007 elections, the chairs of the political parties should select the participating districts in accordance with standards recommended by the NJCCEC;

s) It is recognized that the clean elections program is only one of several possible reforms to remove the taint of special interest money and to restore integrity to the political process.

“This report offers an honest and detailed assessment of the strengths and weaknesses of the pilot project. It also offers a preview of a blueprint for making the clean elections system the principal campaign finance system in New Jersey,” noted William E. Schluter, chairman of the NJCCEC. “Putting this report together was a great accomplishment. I would like to thank all of the commissioners for working together so diligently on the report and all of the individuals from the Executive and Legislative branches of government and the advocacy groups who offered their observations and suggestions.”

The NJCCEC is charged by law with monitoring and evaluating the 2005 pilot project. The final report of the commission containing its ultimate findings and recommendations will be issued in May 2006.

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