

EXECUTIVE ORDER NO. 51

WHEREAS, in August 2004, the Legislature enacted P.L. 2004, c.121, known as the "New Jersey Fair and Clean Elections Pilot Project"; and

WHEREAS, that Act was designed to strengthen public confidence in New Jersey's democratic processes and institutions by establishing a Clean Elections Pilot Project to provide selected candidates for the offices of Member of the General Assembly with equal resources with which to communicate with voters; and

WHEREAS, that Act further provided that the participants in the New Jersey Fair and Clean Elections Pilot Project would be selected by the Chairs of the State political parties whose candidate for Office of the Governor received the largest number and second largest number of votes in the most recent gubernatorial election, each from among one of three specified legislative districts; and

WHEREAS, those districts have been selected by the respective Chairs of the eligible political parties; and

WHEREAS, in order to be certified as a New Jersey Fair and Clean Elections candidate under the Act, the participating candidates must obtain a specified number of contributions in certain amounts within a certain timeframe; and

WHEREAS, the Election Law Enforcement Commission (ELEC) recently amended its implementing regulations to increase the public's ability to contribute to participating candidates in the Pilot Project by using electronic transfers from a checking account or a debit card and contributing through accessing a website; and

WHEREAS, the established deadline for making such qualifying contributions is currently due to expire on September 7, 2005, and it is apparent that most of the participating candidates will not receive sufficient qualifying contributions prior to the current deadline; and

WHEREAS, without an extension of the deadline, the New Jersey Fair and Clean Elections Pilot Project will most likely not occur, in contravention of the clear legislative intent underlying P.L. 2004, c.121; and

WHEREAS, following public hearings by the bi-partisan New Jersey Citizens' Clean Elections Commission that is monitoring this issue, the Chair of the Commission endorses an extension of the deadline for making qualifying contributions to participating candidates; and

WHEREAS, the Legislature is not in Session and cannot rectify this anomaly by extending the deadline statutorily; and

WHEREAS, the public interest clearly warrants an extension of the deadline to allow a brief period of time for the improvements recently made by ELEC to work and to allow the participating candidates to reach the number of contributions required in order to qualify under the Pilot Project;

NOW, THEREFORE, I, RICHARD J. CODEY, Acting Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The qualifying period for participating candidates in the New Jersey Fair and Clean Elections Pilot Project to receive qualifying contributions is extended to September 21, 2005, the 48th day prior to the 2005 General Election.

2. This Order shall take effect immediately.

GIVEN, under my hand and seal this
31st day of August
in the Year of Our Lord,
Two Thousand and Five, and
of the Independence of the
United States, the Two
Hundred and Thirtieth.

/s/ Richard J. Codey

Acting Governor

[seal]

Attest:

/s/ Mark J. Fleming

Deputy Chief Counsel to the Governor