



# Newsletter ELECtronic

MAY 2021 ISSUE

143

AN ELECTION LAW ENFORCEMENT COMMISSION NEWSLETTER "Furthering the Interest of an Informed Citizenry"

## Comments from the Chairman

Eric H. Jaso

The hardest thing about any political campaign is how to win without proving that you are unworthy of winning.
-- Adlai Stevenson

The 90-Day Rule – Reporting Political Communication Contributions before a Primary or General Election

Let's say an incumbent mayor is running for re-election in Anytown, New Jersey.

A few weeks prior to the election, her campaign sends residents a direct mail piece with the mayor's personal appeal for support on Election Day. Under the slogan "Making Anytown Great Again," the flyer includes a flattering photo of the mayor surrounded by her family. It touts her achievements, promotes her goals, and calls her opponent "Sad!"

Under the New Jersey Campaign Contributions and Expenditures Reporting Act, this mailing is considered a political communication which must be disclosed to ELEC in pre-election reports. But what if, right before the election, the Borough of Anytown itself prints and mails a newsletter to residents over the Mayor's signature and official photo, touting her achievements, stating her goals, but with no slogan, request for votes, or mention of her opponent? Despite the effort to disguise it as an official communication, the second mailing would also be considered reportable under the Act.

The provision that applies is the political communication regulation, commonly known as the "90-day rule." That rule, which applies to all candidacies, including fire district and school board, requires reporting to ELEC under the following circumstances:

- If the communication is made within 90-days of any election involving the candidate;
- If most recipients are people eligible to vote for the candidate;
- The communication refers to the governmental objectives or achievements of the candidate; and,
- The communication is done with the cooperation or consent of the candidate.

Under the 90-day rule, Anytown's cost of producing and distributing the second newsletter would constitute an in-kind contribution to its mayor's campaign and must be disclosed as such.

P. 1 P. 2 P. 3 P. 5 P. 7 P. 12 ELEC enforces the Act's requirement that individuals, organizations, or even governments disclose the existence and dollar amount of any such in-kind political communications contributions.

Of course, any rule comes with exceptions. The Act does not apply to written communications responding to a constituent. Thus, it would not require the mayor to report a letter she writes a constituent in response to a phone call complaining about potholes.

Likewise, the Act does not require a campaign to report a communication reminding residents to submit applications or take other actions involving the government, or an announcement about a public emergency. Nor does the Act require a candidate running unopposed in a primary to report such communications.

For the upcoming non-partisan elections held in May, the 90-day period begins on February 10, 2021. The 90-day period for the June primary begins March 10, 2021 and for the general election in November, it begins on August 4, 2021.

Candidates and their campaigns should review ELEC's Compliance Manual for Candidates, available on our website.

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### COMMISSIONERS

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# Executive Director's Thoughts Jeff Brindle

### Big Spending on Communications in 2020 Reflects Ongoing Shift in Lobbying Approach

Reprinted from insidernj.com

The annual report on lobbying issued recently by the New Jersey Election Law Enforcement Commission (ELEC) highlighted the fact that in 2020 spending reached a record \$105 million.

Less noticeable, but highly significant, was the \$18 million spent on communications.

It was the most ever spent since lobbyists were required by law in 2004 to fully disclose their communications expenses.

The \$18 million invested in communications represented nearly 17 percent of all lobbying expenses in 2020- the second highest percentage except for 2011.

Back in 2004, lobbyists reported just \$1.6 million on communications expenditures with the public. It represented just six percent of total lobbying expenditures.

The \$18 million spent in 2020 not only set a new record. It also was \$4.3 million more than in 2019. That increase was largely why overall

expenditures reached a new high last year.

Of the top ten spenders on communications in 2020, seven also were among the top ten overall spenders.

What is important about this number is that it provides further evidence of a long-term shift in lobbying strategy.

When it first became popular at the federal level in the 1980s, this type of lobbying used to be called "astroturfing" because special interests used mass media campaigns to "artificially" gin up the public for or against issues that mattered to lobbyists and their clients. The campaigns were considered effective because it looked like members of the public were banding together spontaneously.

Year	Lobbyist Communications Spending	As Percent of Total Lobbying Spending	Year	Lobbyist Communications Spending	As Percent of Total Lobbying Spending
2020	\$18,059,357	17%	2011	\$15,187,336	20%
2019	\$13,717,963	14%	2010	\$10,343,317	16%
2018	\$ 6,471,942	7%	2009	\$ 6,127,364	11%
2017	\$ 8,451,798	9%	2008	\$ 3,970,516	7%
2016	\$10,574,948	12%	2007	\$ 3,566,995	6%
2015	\$14,779,709	16%	2006	\$ 6,606,993	12%
2014	\$ 3,734,963	6%	2005	\$ 1,490,615	5%
2013	\$ 6,815,979	11%	2004	\$ 1,574,606	6%
2012	\$ 2,207,616	4%			

Communications with the public are a form of indirect lobbying.

Indirect lobbying employs the use of broadcast, digital and print advertising along with direct mail to mobilize the public on behalf of certain issues.

It is not all that different from efforts in support or opposition to ballot questions, which often become law when they receive public backing.

Unlike traditional, old school lobbying, where lobbyists attempt to influence legislation by directly communicating with elected officials, indirect lobbying seeks to generate interest among the public on behalf of policy priorities of special interests.

Now the practice is so common it is simply called grassroots lobbying or issue advocacy. What matters now is only that public outcry, regardless of how it is instigated, can be an enormous lever for political influence.

The \$18 million spent on communications in 2020 not only is a record unto itself but consistent with a recognizable trend in recent years.

Indirect, grassroots lobbying was first identified as a future trend in a 1990 report I wrote entitled, "ELEC White Paper: Lobbying Reform." It stated "... grassroots lobbying strategies can take an even more sophisticated form. In this way, the communications

revolution is by far and away the most significant development to impact upon lobbying at the grassroots level."

The report added "Grassroots lobbying can be an integral part of a high-powered special interest strategy for success. This type of lobbying involves the mobilization of grassroots support in favor or opposition to legislation or administrative action . . . any comprehensive reform of the lobbying disclosure laws in New Jersey should require the reporting of expenditures made for grassroots lobbying."

In 2003 the Legislature passed legislation requiring the reporting of expenditures on grassroots lobbying. The law, initially proposed in the 1990 ELEC White Paper, went into effect in 2004.

Thus one of the best predictors contained in the report about lobbying's future is the \$18 million record spending on communications.

Clearly the nature of lobbying has changed. Overall it has become much more sophisticated, adding many more tools to the lobbyist tool box.

No longer do lobbyists depend merely on old-style, face-to-face lobbying that depended almost exclusively on building personal relationships with elected officials.

While relationship building is still a very important to most lobbyists, more modern, less personal forms of lobbying have become a permanent and steadily expanding part of their profession.

For example, lobbyists may use strategies formerly reserved for

political consultants, strategies that often can blur the line between issue advocacy and electioneering.

Further, lobbying firms may hire researchers, whose work can be critical to both traditional lobbying efforts as well as to indirect, grassroots lobbying efforts. Pollsters are increasingly utilized by lobbying firms to bolster their research efforts and in turn to build support for an issue within a legislative district or statewide. Not to be overlooked are the increased number of lawyer/ lobbyists who may sometimes resort to legal action to bring about policy changes.

While all these methods are used by lobbyists to influence the course of legislation, regulation, and public contracts, it is a good bet that indirect strategies will be employed more and more by lobbyists in the future.

Moreover, one reason the use of indirect lobbying may have grown so much in 2020 was because the COVID-19 crisis halted in-person meetings with legislators and executive branch officials and replaced them with online video-conferencing.

If use of such virtual techniques continue after the public health crisis ends, so too will indirect lobbying.

In any event, the Commission will continue tracking trends in lobbying activity as it has done in other areas of its jurisdiction. Following trends and reporting on them have contributed to the enactment of sensible reforms through the years.

# Offshore Wind Power Developers Have Spent Almost \$4.2 million on Lobbying During Past Decade

By Joe Donohue

In recent years, New Jersey has seen the emergence of two completely new industries - marijuana and deep-sea wind energy production.

The marijuana industry has received more attention, in part because use of marijuana had been illegal in the state until the passage of new laws. Medical marijuana was enacted in 2010. It took until February 22 of this year- more than a decade later- before recreational marijuana use became legal. During that period, scores of promarijuana businesses and groups spent more nearly \$6.7 million on lobbying.

Less noticed was the fact that during the same period, about a dozen firms and associations that support offshore windmills spent nearly \$4.2 million on lobbying.

It is not unusual for representatives of new industries to recruit lobbyists to help lay the groundwork for their entry into the state's marketplace.

Businesses may need access to key legislative and executive branch contacts, legislation, regulations, permits, financial incentives or other government support for their budding enterprises.

Of course, there also could be some lobbying against the new industries.

NJ Lobbying Fees Spent by Firms or Groups Supporting Offshore Wind Energy Generation- 2011-2020					
Firm/Group	2016-2020	2011-2015	Grand Totals		
Ørsted North America Inc/ Ocean Wind LLC	\$1,044,112		\$1,044,112		
Fishermen's Energy	\$ 33,627	\$ 682,086	\$ 715,713		
NextEra Energy Resources LLC	\$ 616,645		\$ 616,645		
Atlantic Wind Connection		\$ 342,500	\$ 342,500		
Atlantic Shores Offshore Wind/ EDF Renewable Development	\$ 280,894		\$ 280,894		
Anbaric Development Partners	\$ 255,000		\$ 255,000		
Deep Water Wind LLC	\$ 122,386	\$ 87,809	\$ 210,195		
Equinor Wind US LLC	\$ 162,000		\$ 162,000		
EDF Renewables Inc.	\$ 10,062	\$ 135,708	\$ 145,770		
American Wind Energy Associates (AWEA)	\$ 96,000		\$ 96,000		
Mid-Atlantic Renewable Energy Coalition	\$ 96,000		\$ 96,000		
Siemens Gamesa Renewable Energy	\$ 93,967		\$ 93,967		
The Business Network for Offshore Wind	\$ 60,000		\$ 60,000		
Doing Energy Wind Power (US)	\$ 54,286		\$ 54,286		
Total	\$2,924,979	\$1,248,103	\$4,173,082		

While the erection of large windmills off the New Jersey coast doesn't stir as much controversy as marijuana use, some fear the several-hundred-foot-tall wind towers could harm marine life or birds, or be an aesthetic turn-off for tourists. Supporters defend them as a new source of clean energy, a tool for fighting global warming and a pool of new jobs.

State officials already have announced that Lower Alloways Creek Township in Salem County will be the nation's first windmill fabrication and staging site with support from the Paulsboro Marine Terminal.

Governor Phil Murphy has issued three executive orders intended to speed the construction of ocean-based windmills. The most recent one issued on November 19, 2019 set a goal of constructing enough wind turbines to supply 7,500 megawatts of electricity by 2035. That is enough electricity to

power to more than 3.2 million New Jersey homes.

Total global production in early 2020 was about 6,100 megawatts generated by 5,500 windmills mostly located off China, Germany, Denmark, the United Kingdom and Belgium, according to "Offshore Wind for America." The first offshore windfarm was sited off Denmark in 1991. The report was published in March 2021 by Environment America Research and Policy Center and Frontier Group.

The report said the seabeds off New Jersey and other northeast states are well-suited for ocean-sited windmills. "The Atlantic region, especially the Northeast, has strong, consistent wind and a wide, shallow continental shelf, making deployment of offshore wind relatively straightforward using existing technology."

Ørsted North America Inc., a Danish firm that operates the sole offshore wind farm in the nation off Rhode Island, has been chosen in New Jersey to develop its first 1,100-megawatt wind farm about 15 miles off Atlantic City. It hopes to be operational by 2024.

Ørsted has spent the most on lobbying over the decade- just over \$1 million.

Other spenders on the list either have proposed or are planning to propose their own sea-based wind farms, or are involved in support industries such as manufacturing and transmission.

### Looming State Elections Perk Up "Big Six" Fundraising During First Quarter 2021

First quarter fundraising by the two state parties and four legislative leadership PACs reached nearly \$2.3 million, the highest mark in more than a decade, according to reports filed with the New Jersey Election Law Enforcement Commission (ELEC).

Jeff Brindle, ELEC's Executive Director, attributed the fundraising spike to the fact that the governor's seat and all 120 legislative positions are up for reelection this fall.

"Another factor is that the state's political leaders, like everyone else, appear to be adjusting to the COVID-19 pandemic, which shut down several fund-raisers last year at this time. Fundraising for the first three months of 2021 is nearly triple the amount raised for the same period in 2020," Brindle said.

TABLE 1

CAMPAIGN FINANCE ACTIVITY BY "BIG SIX"

AT END OF 1<sup>ST</sup> QUARTER BY YEAR

BOTH PARTIES	RAISED	SPENT	CASH-ON-HAND	NET WORTH	STATE ELECTIONS
2009	\$1,741,580	\$ 754,923	\$2,844,159	\$2,649,177	Governor and Assembly
2010	\$ 885,123	\$ 694,309	\$1,474,272	\$1,290,437	
2011	\$1,738,239	\$ 777,847	\$2,500,926	\$2,191,738	Senate and Assembly
2012	\$1,293,649	\$1,617,192	\$ 704,601	\$ 503,541	
2013	\$1,464,033	\$ 583,756	\$2,564,802	\$2,421,411	Governor and Both Houses
2014	\$ 600,526	\$ 694,221	\$ 750,904	\$ 443,050	
2015	\$ 973,494	\$1,017,051	\$1,623,550	\$ 994,137	Assembly
2016	\$ 673,038	\$ 555,175	\$1,097,091	\$ 415,590	
2017	\$1,076,186	\$ 544,948	\$2,198,343	\$2,064,647	Governor and Both Houses
2018	\$1,902,503	\$1,832,307	\$ 814,754	\$ 730,251	
2019	\$ 981,798	\$ 634,650	\$1,868,717	\$1,728,640	Assembly
2020	\$ 819,384	\$ 679,768	\$ 799,682	\$ 719,825	
2021	\$2,277,202	\$1,338,955	\$2,309,631	\$2,245,225	Governor and Both Houses

Both Republicans and Democrats raised significantly more funds during this year's first quarter than they did in 2017.

Republican fund-raising was up 81 percent while Democrats took in 122 percent more during the three-month period. While Republicans reported less cash-on-hand than four years ago, Democrats showed a 58 percent increase.

## TABLE 2 FUNDRAISING BY "BIG SIX" COMMITTEES JANUARY 1 THROUGH MARCH 31, 2021

REPUBLICANS	RAISED	SPENT**	CASH-ON-HAND	NET WORTH*
New Jersey Republican State Committee	\$ 128,936	\$ 114,512	\$ 173,276	\$ 173,276
Senate Republican Majority	\$ 246,294	\$ 90,398	\$ 198,537	\$ 198,537
Assembly Republican Victory	\$ 124,119	\$ 59,480	\$ 245,195	\$ 245,195
Sub-Total- Republicans	\$ 499,349	\$ 264,390	\$ 617,008	\$ 617,008
Versus First Quarter 2017 (Dollars)	\$ 223,606	\$ 75,948	\$ (512,673)	\$ (473,480)
Versus First Quarter 2017 (Percent)	81%	40%	-45%	-43%
DEMOCRATS				
New Jersey Democratic State Committee	\$1,200,870	\$ 488,953	\$ 899,543	\$ 885,575
Senate Democratic Majority	\$ 357,408	\$ 204,617	\$ 594,733	\$ 574,733
Democratic Assembly Campaign Committee	\$ 219,575	\$ 380,995	\$ 198,347	\$ 167,909
Sub-Total- Democrats	\$1,777,853	\$1,074,565	\$1,692,623	\$1,628,217
Versus First Quarter 2017 (Dollars)	\$ 977,410	\$ 718,059	\$ 623,961	\$ 654,058
Versus First Quarter 2017 (Percent)	122%	201%	58%	67%
Total- Both Parties	\$2,277,202	\$1,338,955	\$2,309,631	\$2,245,225
Versus First Quarter 2017 (Dollars)	\$1,201,016	\$ 794,007	\$ 111,288	\$ (436,430)
Versus First Quarter 2017 (Percent)	112%	146%	5%	-21%

<sup>\*</sup>Net worth is cash-on-hand adjusted for debts owed to or by the committee.

Brindle said while the latest Big Six reports are encouraging, they reflect just first quarter collections. Annual fund-raising totals are a better benchmark, and they have been in steady decline for the six committees since peaking in 2001.

"ELEC believes party committees are important because they are more accountable and transparent than so-called "outside" independent spenders that are growing more dominant," Brindle said. "We will continue to work with lawmakers to try to enact new laws that will hopefully redirect more funds back into party coffers."

State parties and legislative leadership committees are required to report their financial activity to the Commission on a quarterly basis. The reports are available on ELEC's website at <a href="www.elec.state.nj.us">www.elec.state.nj.us</a>. ELEC also can be accessed on Facebook <a href="www.facebook.com/NJElectionLaw">(www.facebook.com/NJElectionLaw</a>) and Twitter (<a href="www.twitter.com/elecnj">www.twitter.com/elecnj</a>).

<sup>\*\*</sup>Some spending totals exceed fundraising totals because the committee dipped into reserves or incurred debt.

### **Public Contributions by Public Contractors Lagged in 2020**

COVID-19 Pandemic and Lack of State Elections May Have Depressed Giving

Without state elections in 2020 and in a year when COVID-19 health restrictions cancelled many fundraising events, public contractors so far have disclosed their fewest political contributions since they began filing annual reports with the New Jersey Election Law Enforcement Commission (ELEC) in 2006.

Contractors to date have reported just \$7.8 million in contributions. That figure is currently 16 percent less than 2019 and is the lowest total of any year since 2006.

Jeff Brindle, ELEC's Executive Director, emphasized that the 2020 total is preliminary because some contractors still have not filed reports with ELEC. Last year's figure is likely to end up the second lowest total if not the smallest, he said.

"We've seen signs that the COVID-19 crisis hurt political fund-raising in 2020. Many party committees and candidates cancelled fund-raising events when the virus threat first emerged last spring," Brindle said. "Another factor for the decline is likely to be the lack of state elections in 2020."

Table 1 Campaign Contributions Reported by Public Contractors in Annual Disclosure Reports by Year						
YEAR	AMOUNT	CHANGE-%	YEAR	AMOUNT	CHANGE-%	
2020	\$ 7,793,701*	-16%	2012	\$ 7,988,882	-20%	
2019	\$ 9,320,087	-6%	2011	\$ 9,982,696	3%	
2018	\$ 9,877,897	-6%	2010	\$ 9,725,922	-12%	
2017	\$10,453,554	15%	2009	\$11,078,713	-9%	
2016	\$ 9,083,938	-1%	2008	\$12,120,923	-26%	
2015	\$ 9,215,463	-6%	2007	\$16,436,039	8%	
2014 \$ 9,843,769 -8% 2006 \$15,157,941						
2013	\$10,713,401	34%				

<sup>\*</sup>Preliminary

"With elections looming for both the governor's seat and both legislative houses this year as well as more fundraising events being held due to an easing of the virus threat, contributions from these donors are likely to bounce back," Brindle said.

Continuing a long-term trend, engineering firms dominated the top ten list of contractors making political contributions. Seven firms on the list, including the top six, are engineering firms. Two others are law firms while the other is an insurance agency.

Table 2 Business Entities that Made Most Contributions in 2020				
BUSINESS ENTITIES	AMOUNT	CONTRACTS		
Remington & Vernick Engineers	\$ 432,700	\$ 48,059,945		
CME Associates	\$ 388,450	\$ 48,647,679		
T&M Associates	\$ 336,650	\$ 33,714,314		
Richard A. Alaimo Business Entities <sup>1</sup>	\$ 316,500	\$ 9,680,934		
French and Parrello Associates PA	\$ 155,925	\$ 7,983,142		
Pennoni Associates Inc.	\$ 147,850	\$ 13,346,052		
Rainnone Coughlin Minchello LLC	\$ 141,700	\$ 5,890,204		
Business and Government Insurance Agency Inc.	\$ 116,950	\$ 1,754,893		
Neglia Engineering Associates	\$ 104,075	\$ 10,584,942		
Archer & Greiner P.C.	\$ 102,700	\$ 4,013,927		
Top Ten Totals	\$2,243,500	\$183,676,032		
Top Ten as % Of Overall Totals	29%	2%		

The top ten contractor donors gave a combined total of \$2.2 million- 29 percent of all contributions. Their contracts totaled just under \$184 million- just two percent of all contracts.

Since 2009, engineering firms have been the top contributor each year except for 2018 and 2014.

	Table 3					
	Top Contractor Donors 2009-2020					
Year	Firm	Contributions				
2020	Remington & Vernick	\$432,700				
2019	Remington & Vernick	\$556,550				
2018	153 Halsey Street Partnership/ Hartz Mountain Industries Inc.	\$528,650				
2017	Remington & Vernick	\$512,550				
2016	Remington & Vernick	\$430,920				
2015	Remington & Vernick	\$474,100				
2014	Bloomberg Finance LP	\$422,800				
2013	Remington & Vernick	\$529,400				
2012	Remington & Vernick	\$457,050				
2011	CME Associates	\$537,960				
2010	T&M Associates	\$435,110				
2009	T&M Associates	\$534,300				

For the second year in a row, the top recipient of contractor contributions was General Majority PAC.

It is a federal political fund-raising committee that supports Democrats but operates separately from parties and candidates. It has been one of the leading spenders on recent legislative elections, sinking \$2.8 million into the 2019 election.

<sup>&</sup>lt;sup>1</sup> The Alaimo Group Inc., Richard A. Alaimo Associates, Richard A. Alaimo Association of Engineers, Richard A. Alaimo Engineering Associates, Richard A. Alaimo Engineering Company.

Table 4 Top Ten Recipients of Contractor Contributions in 2020			
RECIPIENT	AMOUNT		
General Majority PAC	\$178,200		
Nancy Pinkin for Clerk (Middlesex County)	\$157,150		
Leslie Koppel for Freeholder (Middlesex County)	\$156,400		
Charles Tomaro for Freeholder (Middlesex County)	\$149,900		
Heather Simmons, Lyman Barnes & Jim Jefferson for Freeholder (Gloucester County)	\$147,500		
Blue Pac	\$115,800		
Mount Laurel Democrats	\$111,758		
Election Fund of Brian Wahler, Gabrielle Cahill, Kapil Shah & Chanelle McCullum (Piscataway)	\$107,850		
GOPAC	\$100,000		
South Brunswick Democrats 2020	\$ 83,000		

A Republican "outside" group- GOPAC- received \$100,000 from public contractors in 2020.

Among the other top ten recipients, four represented county candidates while three supported municipal candidates.

With 2020 being a federal election year, New Jersey congressional candidates received \$60,225 from public contractors.

Democratic Governor Phil Murphy, who kicked off his reelection campaign last year, and Republican challenger and former Assemblyman Jack Ciattarelli both received checks from contractors last year. Murphy received \$26,000 while Ciattarelli got \$11,200.

Contributions by public contractors were down not just overall but also to traditional political action committees, which are subject to contribution limits, and independent groups, which are not.

PACs and independent groups received \$1 million in 2020- a 17 percent drop, and 14 percent of all contractor donations. It was the lowest amount since 2012, when contractors also gave just \$1 million to such committees.

Contractors reported \$8.9 billion in contracts during 2020-a 9 percent drop and the lowest total since 2016.

_	Table 5						
T	otal Value of Contracts	Reported An	nually b	y Business Entities I	oy Year		
YEAR	AMOUNT	CHANGE-%	YEAR	AMOUNT	CHANGE-%		
2020	\$ 8,869,276,367*	-9%	2012	\$ 5,954,013,939	8%		
2019	\$ 9,784,119,367	-2%	2011	\$ 5,509,000,868	-6%		
2018	\$ 9,961,729,346	-4%	2010	\$ 5,831,430,755	-4%		
2017	\$10,383,217,280	19%	2009	\$ 6,061,413,903	21%		
2016	\$ 8,747,203,681	6%	2008	\$ 5,003,469,665	-12%		
2015	\$ 8,280,639,442	19%	2007	\$ 5,686,393,016	-45%		
2014	\$ 6,982,725,369	3%	2006	\$10,396,758,835			
2013	\$ 6,752,690,921	13%					

<sup>\*</sup>Preliminary

The number of contracts for 2020 is 18,193, up one percent. The total number of business entities filing reports is 1,827-8 percent fewer than in 2019.

Numbers in this report reflect information available to the Commission through April 5, 2021 and should be considered preliminary. Some contractors are likely to submit reports or amendments after that date that could change the totals. Numbers earlier than 2020 reflect similar revisions and could differ from those reported in prior press releases. All reports are available at ELEC's website at www.elec.state.nj.us.

Under pay-to-play laws, all businesses that have received \$50,000 or more through public contracts must indicate whether they have made any reportable contributions and if so, must disclose contracts and contributions to ELEC by March 30<sup>th</sup> for the previous calendar year.

<u>With some exceptions</u>, most firms with state contracts in excess of \$17,500 are barred from contributing more than \$300 to gubernatorial candidates, other candidates, state political parties, legislative leadership committees, county political parties and municipal political party committees. Firms that exceed this limit must seek refunds of excess contributions within a necessary time period or relinquish their contracts for four years.

Contractors may have given out fewer contributions overall in 2020 but the average check was the biggest ever. The average contribution made by contractors in 2020 was \$1,355- up 26 percent from a year earlier. The previous top average was \$1,228 in 2018.

Two health insurance companies that service the state and/or other governmental entities in New Jersey dwarfed all other contract recipients.

The list also includes two banks, six construction firms, a telecommunications firm, and a major health insurer.

The top ten contractors received \$7.1 billion worth of contracts- 80 percent of the reported total -while making just \$139,112 in contributions- just two percent.

Table 6 Top Ten Business Entities That Reported Largest Contract Totals in 2020*				
BUSINESS ENTITY	CONTRACTS	CONTRIBUTIONS**		
Horizon Blue Cross Blue Shield Affiliates <sup>2</sup>	\$5,803,454,424	\$ 45,000		
South State, Inc.	\$ 389,289,195	\$ 11,072		
Unity Bancorp, Inc.	\$ 142,590,643	\$ 1,600		
Earle Asphalt/ The Walter R. Earle Corp.	\$ 116,460,855	\$ 9,800		
Union Paving & Construction Co., Inc.	\$ 110,658,496	\$ 7,700		
Magyar Bank.	\$ 110,437,579	\$ 1,850		
Crisdel Group, Inc.	\$ 101,789,389	\$ 7,140		
Joseph M. Sanzari, Inc.	\$ 101,452,829	\$ 5,400		
Verizon New Jersey Inc.	\$ 98,496,817	\$ 38,250		
J. Fletcher Creamer & Son, Inc./ Creamer Sanzari- Joint Venture	\$ 96,580,692	\$ 11,300		
Top Ten Totals	\$7,071,210,919	\$139,112		
Top Ten as % of Overall Totals	80%	2%		

<sup>\*</sup>Lists only public contractors that made reportable political contributions. \*\*Some totals adjusted to avoid double-counting.

State government as usual was the largest source of contracts in 2020. The New Jersey Department of Human Services was the top contracting agency.

Table 7 Contracts by Public Entity Type in 2020				
State	\$6,696,242,101	75%		
Municipality	\$ 775,928,047	9%		
Independent Authority	\$ 640,942,925	7%		
County	\$ 354,020,371	4%		
Uncertain	\$ 204,906,052	2%		
School Board	\$ 170,748,950	2%		
College/University	\$ 23,305,700	0.3%		
Fire District	\$ 3,182,220	0.04%		
Grand Total	\$8,669,276,367	100%		

Table 8				
Top Ten Contracting Agencies in 2020				
CONTRACTING AGENCY	AMOUNT			
New Jersey Department of Human Services	\$5,808,843,817			
New Jersey Department of Transportation	\$ 781,665,084			
New Jersey Turnpike Authority	\$ 311,843,718			
Port Authority of NY and NJ	\$ 76,771,780			
New Jersey Department of Treasury	\$ 67,911,831			
Middlesex County	\$ 67,527,383			
Elizabeth	\$ 55,773,629			
Newark	\$ 44,296,732			
New Brunswick	\$ 35,325,180			
Somerset County	\$ 34,657,742			

<sup>&</sup>lt;sup>2</sup> Horizon Healthcare of NJ Inc., Horizon Insurance Co., Horizon Casualty Services Inc., and Horizon Healthcare Dental Inc.

2021 Reporting Dates

	INCLUSION DATES	REPORT DUE DATE
FIRE COMMISSIONER – APRIL 20, 2021 – See Executive Ord	der No. 211	
29–day Preelection Reporting Date	Inception of campaign* – 3/19/2021	3/22/2021
11–day Preelection Reporting Date	3/20/2021 – 4/6/2021	4/9/2021
20–day Postelection Reporting Date	4/7/2021 – 5/7/2021	5/10/2021
48–Hour Notice Reports Start on 4/7/2021 through 4/20/20	021	
SCHOOLBOARD – APRIL 20, 2021		
29–day Preelection Reporting Date	Inception of campaign* – 3/19/2021	3/22/2021
11–day Preelection Reporting Date	3/20/2021 – 4/6/2021	4/9/2021
20–Day Postelection Reporting Date	4/7/2021 – 5/7/2021	5/10/2021
48–Hour Notice Reports State on 4/7/2021 through 4/20/2	021	
MAY MUNICIPAL – MAY 11, 2021		
29–day Preelection Reporting Date	Inception of campaign* – 4/9/2021	4/12/2021
11–day Preelection Reporting Date	4/10/2021 – 4/27/2021	4/30/2021
20–Day Postelection Reporting Date	4/28/2021 – 5/28/2021	6/1/2021
48-Hour Notice Reports State on 4/28/2021 through 5/11/	2021	
RUNOFF (JUNE)** – JUNE 15, 2021		
29–day Preelection Reporting Date	No Report Required for this Period	
11–day Preelection Reporting Date	4/28/2021 – 6/1/2021	6/4/2021
20-Day Postelection Reporting Date	6/2/2021 – 7/2/2021	7/6/2021
48–Hour Notice Reports Start on 6/2/2021 through 6/15/20		1777
PRIMARY (90 DAY START DATE – MARCH 10, 2021)*** – JU	JNE 8. 2021	
29–day Preelection Reporting Date	Inception of campaign – 5/7/2021	5/10/2021
11–day Preelection Reporting Date	5/8/2021 – 5/25/2021	5/28/2021
20-Day Postelection Reporting Date	5/26/2021 – 6/25/2021	6/28/2021
48–Hour Notice Reporting Starts on 5/26/2021 – 6/8/2021		7, = 0, = 0 = =
GENERAL (90 DAY START DATE – AUGUST 4, 2021) – NOVE	MRFR 2 2021	
29—day Preelection Reporting Date	6/26/2021 – 10/1/2021	10/4/2021
11–day Preelection Reporting Date	10/2/2021 10/1/2021	10/22/2021
20-day Postelection Reporting Date	10/20/2021 – 10/19/2021	11/22/2021
48—Hour Notice Reporting Starts on 10/20/2021 – 11/2/202		11/22/2021
DIIN OFF (DECEMBER)** December 7 2024		
RUN-OFF (DECEMBER)** - December 7, 2021	No Donort Dogwind for this Doried	
20 day Production Poparting Data	No Report Required for this Period	44/26/2024
29—day Preelection Reporting Date	10/20/2021 11/22/2021	
29-day Preelection Reporting Date 11-day Preelection Reporting Date 20-day Postelection Reporting Date	10/20/2021 – 11/23/2021 11/24/2021 – 12/24/2021	11/26/2021 12/27/2021

PACS, PCFRS & CAMPAIGN QUARTERLY	FILERS	
1 <sup>st</sup> Quarter	1/1/2021 – 3/31/2021	4/15/2021
2 <sup>nd</sup> Quarter	4/1/2021 – 6/30/2021	7/15/2021
3 <sup>rd</sup> Quarter	7/1/2021 – 9/30/2021	10/15/2021
4 <sup>th</sup> Quarter	10/1/2021 – 12/31/2021	1/18/2022
COVERNING ASSESSED ASSESSED ASSESSED	A	
GOVERNMENTAL AFFAIRS AGENTS (Q-4	·)	
1 <sup>st</sup> Quarter	1/1/2021 – 3/31/2021	4/12/2021
2 <sup>nd</sup> Quarter	4/1/2021 – 6/30/2021	7/12/2021
3 <sup>rd</sup> Quarter	7/1/2021 – 9/30/2021	10/12/2021
4 <sup>th</sup> Quarter	10/1/2021 – 12/31/2021	1/10/2022

<sup>\*</sup>Inception Date of Campaign (first time filers) or January 1, 2021 (Quarterly filers).

Note: A fourth quarter 2020 filing is needed for the Primary 2021 candidates if they started their campaign prior to December 10, 2020.

A second quarter is needed by Independent/ Non–partisan General election candidates if they started their campaign prior to May 4, 2021.

### **HOW TO CONTACT ELEC**

www.elec.state.nj.us

In Person: 25 South Stockton Street, 5th Floor, Trenton, NJ

By Mail: P.O. Box 185, Trenton, NJ 08625

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

### **DIRECTORS:**

Jeffrey M. Brindle Joseph W. Donohue Demery J. Roberts Amanda Haines Stephanie A. Olivo Anthony Giancarli Shreve Marshall Christopher Mistichelli

<sup>\*\*</sup>A candidate committee or joint candidates committee that is filing in a 2021 Runoff election is not required to file a 20–day postelection report for the corresponding prior election (May Municipal or General).

<sup>\*\*\*</sup> Form PFD—1 is due April 15, 2021 for the Primary Election Candidates and June 21, 2021 for the Independent General Election Candidates.