







Newsletter ELECtronic

2024

ISSUE

173

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

PUBLIC HEARING - TUESDAY, APRIL 16, 2024, AT 11:00 A.M

The New Jersey Election Law Enforcement Commission (ELEC) is proposing to readopt its regulations and make amendments based on recently enacted legislation. ELEC has also scheduled an April 16 public hearing on the proposals. Some of the proposed amendments address the following areas:

- Contribution reporting thresholds;
- Contributions and expenditures immediately before elections (72/24-hour notices);
- Contribution limits;
- Pay-to-play provisions;
- Housekeeping accounts; and,
- Other/administrative amendments.

The Proposed Readoption of Commission Regulations with Amendments was published in the New Jersey Register on February 5, 2024. They are currently available on the Commission's website at

https://www.elec.nj.gov/legalresources/reg proposals.htm. Copies of the Commission's proposed regulatory changes may also be obtained by calling the Commission at 609-292-8700. The Commission will hold a hearing to seek public comment about the proposed amendments on Tuesday, April 16, 2024, at 11:00 A.M. at:

> **Election Law Enforcement Commission** 25 South Stockton St., 5th floor, Trenton, New Jersey 08608

The Commission invites participation in this hearing and requests that any testimony be limited to no more than ten minutes. Persons wishing to testify are requested to reserve time to speak by contacting Administrative Assistant Elbia L. Zeppetelli at (609) 292-8700, no later than Friday, April 12, 2024.

Submit written comments by April 17, 2024 to:

Benjamin Kachuriner, Assistant Legal Counsel **Election Law Enforcement Commission** PO Box 185

Trenton, New Jersey 08625-0185 Email: ELEC.rulemaking@elec.nj.gov

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Thomas H. Prol, Chairman Norma R. Evans, Commissioner Ryan Peters, Commissioner Jon-Henry Barr, Commissioner Edwin R. Matthews, Legal Counsel



FORMER LONG-TIME ELEC EMPLOYEE RUTH BRIEL-FORD HAS PASSED

By Joe Donohue

Former ELEC employee Ruth Lydia Briel-Ford of Hamilton Township died March 13, 2024. She was 84.

Ford was a legal secretary with the agency between 1990 and 2008.

At the time of her retirement, former ELEC Chairwoman Jerry Fitzgerald English praised Ford in a written tribute.

"...thank you so much for your 18 years of loyal and productive service to the Legal Division and the Commission. Your presence and work effort will be greatly missed by both the staff and the Commissioners," it said in part.

Frederick Herrmann, ELEC Executive Director at the time, fondly remembers her as a dedicated employee.

"I remember Ruth as an outstanding employee who was always kind and considerate of others. She had a quiet but endearing sense of humor that always brought a smile to my face," Herrmann said.

Long-time ELEC employee Bettie Michael was among ELEC workers who remained friends with Ford after her retirement.

Ford, she said, was diligent and hard-working but also had a keen sense of humor.

She tried to constantly improve her skills despite being afflicted with severe arthritis in her hands. "It didn't slow her down. She was always challenging herself," said Michael. For instance, when commercial scanning devices became available at the agency, she was one of the first ELEC employees to try to master one despite little experience with office electronics. "She took pride in her work. If she did it, she only had to do it once," Michael said.

Daughter of the late Joseph Dye and Ethel Messler Briel, wife of the late Robert F. Ford, mother-in-law of the late Steven E Flesh and grandmother to the late Steven A. Flesh, she is survived by her daughters and son-in-law Vanessa L. Flesh and Ruth A. and Michael Burak, her son Santo "Sam" Midulla, her grandchildren Trisha Flesh and Wiley and Roxanne Burak, as well as, many relatives and dear friends.

Here is a link to her full obituary: https://obits.nj.com/us/obituaries/trenton/name/ruth-briel-ford-obituary?id=54625771

ANNUAL PAY-TO-PLAY DISCLOSURE REPORTS AVAILABLE

Business Entity Annual Statements for 2023 are now available for public inspection on the New Jersey Election Law Enforcement Commission's (ELEC) website and at its offices at 25 S. Stockton Street, 5th floor in Trenton.

An analytical press release that provides an overview of political donations made in 2023 by public contractors and statistics about contract activity, along with historical comparisons, will be forthcoming.

Business entity reports for 2023 and earlier years as far back as 2006 can be searched at:

www.elec.nj.gov/pay2play/p2p.html

The reports represent the disclosure of contract and contribution activity by business entities that have received \$50,000 or more in the aggregate through public contracts and agreements.

Three spreadsheets containing data from the reports that list either business entities, contracts or contributions are also available on the website. Spreadsheets are also available as far back as 2006.

If you do not have access to the internet, the public records room is equipped with Internet-ready terminals and a printer. There is no charge for the first 50 pages, thereafter, the fee schedule as provided in the "Open Public Records Act" will apply.

TRAINING WEBINARS & SEMINARS

CAMPAIGN COMPLIANCE SEMINARS AND EFILE TRAINING				
April 02, 2024	August 06, 2024			
May 01, 2024	September 12, 2024			
May 02, 2024	October 03, 2024			
June 12, 2024	October 08, 2024			
July 09, 2024				
CPC/PPC COMPLIANCE SEN	IINARS AND eFILE TRAING			
April 03, 2024	August 08, 2024			
May 15, 2024	September 10, 2024			
June 13, 2024	October 10, 2024			
July 11, 2024				
IN PERSON :	SEMINARS			
Wednesday, March 27 – CPC	Wednesday, June 26 – CPC			
Wednesday, April 24 – Campaign	Wednesday, September 25 – Campaign			
Wednesday, June 19 – Campaign	Wednesday, October 2 – CPC			
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^{*}All webinars and seminars will begin at 10:00 and run for approximately 2 hours.

New Jersey Lobbying Expenditures Up Slightly in 2023 as Budget, Health, Labor, Liquor Reform, and Casino Smoking Rank Among Top Issues

New Jersey lobbyists in 2023 spent \$96.1 million on efforts to shape, kill or advance legislation, a one percent increase above the previous year, according to annual reports filed with the New Jersey Election Law Enforcement Commission (ELEC).

Table 1
Annual Lobbying Expenditures in
New Jersey by Year 2013-2023

Year	Spending	Change-%	2023 Dollars
2023	\$ 96,151,384	1%	\$ 96,151,384
2022	\$ 95,076,034	-1%	\$ 98,989,792
2021	\$ 95,987,195	-10%	\$107,936,267
2020	\$106,807,644	5%	\$125,746,211
2019	\$101,642,742	11%	\$121,141,791
2018	\$ 91,720,129	0.001%	\$111,296,407
2017	\$ 91,718,809	2%	\$114,013,155
2016	\$ 90,362,129	-1%	\$114,719,660
2015	\$ 91,504,710	10%	\$117,635,731
2014	\$ 83,480,316	-6%	\$107,447,195
2013	\$ 88,715,104		\$116,037,164

While the total was slightly higher than in 2022, it was well below record spending in 2020, when the COVID-19 pandemic unleashed a tsunami of legislation.

"2020 was highly unusual because it featured scores of hastily written emergency bills that had unexpected and broadranging impacts," said Joe Donohue, ELEC's Acting Executive Director.

While lobbying expenditures in 2023 may have reflected a more normal level of activity, it was only the fifth time spending topped \$95 million. However, when adjusted for inflation, 2023 expenditures were at their lowest point in a decade.

"Every year, the state budget, which is more like 1,000 bills in one, attracts the most lobbying activity," said Donohue. "In 2023, there also was a wide array of other issues that drew attention in the statehouse. They included the most sweeping overhaul of liquor laws in nearly 80 years, numerous bills affecting the state's large pharmaceutical industry, a proposed ban on smoking in Atlantic City casinos, and bills expanding worker job protections."

Table 2
Key Bills Proposed During 2022-23 Legislative Session
Ranked By Most Official Contacts by Lobbyists¹

Rank	Bills	Official Contacts	Subject	Action
1	S-2024/A-5669	463	Budgets \$54,357,547,000 in State funds for fiscal year 2023- 2024.	Signed 2023
2	S-1615/A-2840/S- 329/A-1747	378	Provides more transparency for prescription drug prices.	Signed 2023
3	A-4682/ S-2389	191	Increases job protection for certain service employees during changes of ownership.	Signed 2023
4	A-536/S-1616/A- 2841	190	Expands oversight of pharmacy benefit managers.	Signed 2023
5	S-4265/A-5912/S- 3038/A-4630 and others	185	Adopts most sweeping reform of liquor licensing laws since 1940s.	Signed January 2024
6	A-1255/S-1794	144	Streamlines health insurance prior approval rules.	Signed January 2024
7	A-822/S-723	130	Offers greater job rights and protections for domestic workers.	Signed January 2024
8	S-332/A-1971	112	Increases privacy rights involving personal information used by commercial Internet providers.	Signed January 2024
9	A-1474/S-511	86	Extends more job rights to temporary laborers.	Signed 2023
9	A-4496/S-3247	86	Revises law governing construction of school facilities projects and operations of New Jersey Schools Development Authority.	Signed January 2024
10	A-426/A-1444	85	Packaging stewardship bill	Hearing 2023
			Other Notable Bills	
11	S-247/A-1966	80	Reduces standard voter registration deadline to eight days before election and allows voter registration at polling place on election day.	No Action 2023
13	S-264/A-2151	72	Eliminates smoking ban exemption for casinos and simulcasting facilities.	Committee Hearing 2023
13	S-3177/A-4758	72	Increases protections against "forever" chemicals.	No Action 2023
14	A-2839/S-1614	70	Requires health insurance carriers to provide coverage for epinephrine auto-injector devices and asthma inhalers; limits cost sharing for health insurance coverage of insulin.	Signed 2023
17	A-677/S-896	65	Streamlines teacher hiring process.	Signed 2022
20	S-2866/A-4372	62	Elections Transparency Act	Signed 2023

An analysis of fees paid to multi-client lobbying firms along with spending by special interest organizations found that the health care industry spent the most- \$17.5 million. This represents 18.3 percent of the \$96.1 million in total expenditures. The total includes spending by non-hospital health industry firms, hospitals and pharmaceutical firms².

¹ See explanatory note on page 6 for how official contact rankings were developed.

² Health care total includes miscellaneous= \$8,668,277; hospitals=\$4,289,362; pharmaceuticals=\$4,595,856.

Development interests ranked second at \$8.3 million or 8.6 percent.

Energy interests ranked third at \$8.2 million and 8.5 percent. The energy total includes spending by major electric and gas utilities and affiliated firms, along with direct spending by solar and wind energy companies³.

Table 3
Business Sectors That Spent more than \$750,000 on Lobbying in 2023

Rank	Sector	Total Fees Paid	Percent
1	Health Care	\$17,553,495	18.3%
2	Development	\$ 8,254,285	8.6%
3	Energy	\$ 8,209,357	8.5%
4	Business- Miscellaneous	\$ 5,704,726	5.9%
5	Insurance	\$ 5,048,686	5.3%
6	Education	\$ 4,260,377	4.4%
7	Technology	\$ 3,680,835	3.8%
8	Transportation	\$ 3,670,608	3.8%
9	Finance	\$ 3,370,755	3.5%
10	Gaming	\$ 2,218,507	2.3%
11	Ideological	\$ 2,129,230	2.2%
12	Telecommunications	\$ 2,008,058	2.1%
13	Real Estate	\$ 1,967,170	2.0%
14	Environmental Protection	\$ 1,434,151	1.5%
15	Alcoholic Beverages	\$ 1,226,883	1.3%
16	Public Agencies	\$ 1,205,602	1.3%
17	Chemicals	\$ 1,134,117	1.2%
18	Lawyers	\$ 1,052,588	1.1%
19	Engineering	\$ 1,024,249	1.1%
20	Union	\$ 1,003,542	1.0%
21	Marijuana	\$ 951,327	1.0%
22	Food Retail	\$ 934,846	1.0%
23	Water	\$ 818,554	0.9%
24	Tobacco	\$ 782,078	0.8%
	Other	\$16,507,359	17.2%
	Total Lobbying Expenditures	\$96,151,384	100%

Annual reports filed for 2023 show that eight of the top ten spenders last year also ranked among the top ten in 2022. For the second year in a row, and for only the second time in a decade, no group spent more than \$1 million.

³ Energy total includes miscellaneous= \$5,509,916; solar only= \$1,392,346; wind only=\$1,307,095.

Table 4
Top Ten Special Interest Lobbying Spenders
2023 Versus 2022

Group	2023	2022	Difference-\$	Increase %
Engineers Labor Employer Cooperative*	\$ 807,869	\$ 566,394	\$ 241,475	43%
AARP NJ*	\$ 700,065	\$ 648,590	\$ 51,475	8%
Public Service Enterprise Group*	\$ 690,709	\$ 849,112	\$ (158,403)	-19%
CEP Renewables LLC (solar energy)*	\$ 685,000	\$ 605,685	\$ 79,315	13%
Chemistry Council of NJ (includes State Street	\$ 680,766	\$ 636,306	\$ 44,460	7%
Associates)*				
NJ State League of Municipalities*	\$ 678,652	\$ 646,740	\$ 31,912	5%
NJ Business & Industry Association*	\$ 663,100	\$ 550,851	\$ 112,249	20%
Fuel Merchants Association of NJ	\$ 561,548	\$ 361,337	\$ 200,211	55%
Horizon Blue Cross Blue Shield of NJ	\$ 536,963	\$ 545,488	\$ (8,525)	-2%
NJ Hospital Association*	\$ 492,236	\$ 608,069	\$ (115,833)	-19%
Total Top Ten Spending	\$ 6,496,908	\$6,018,573	\$ 478,336	8%
Total Lobbying Spending	\$96,151,384			
Top Ten as Percent of Total	7%			

^{*}Also on list in 2022

Communications spending rose eight percent in 2023 to \$3.3 million but remained about three percent of total spending the same share as in 2022. The top ten spenders made up 66 percent of all communication spending.

Table 5
Top Ten Expenditures on Communications in 2023

Group	Group Amount	
Engineers Labor Employer Cooperative	\$	623,869
AARP NJ	\$	404,959
Fuel Merchants Association Of NJ	\$	291,495
NJ League Of Conservation Voters	\$	251,199
Labor Industry Cooperative Fund	\$	158,000
NJ Business & Industry Association	\$	137,028
Public Service Enterprise Group	\$	132,913
Altria Client Services Inc & Its Affiliates	\$	73,966
Health Care Institute Of New Jersey Inc	\$	69,527
American Civil Liberties Union Inc	\$	66,261
Communications Expenditures- Top Ten		2,209,216
Communications Expenditures- Total		3,339,298
Top Ten as Percent of Total		66%

The number of lobbyists fell from 914 to 892 in 2023. While the drop was just 2.4 percent, the total is the lowest since 2005, when an estimated 613 registered lobbyists roamed the state Capitol. The largest number of registered lobbyists was 1,043 in 2008.

While fewer lobbyists are doing business in Trenton, they are representing a record high number of clients- 2,341 in 2023, an increase of 3.8 percent. It was the fifth straight year that the number of clients reached a new high.

A new record low was also set as the amount spent on "benefit passing"- gifts like meals, trips or other things of value-fell to \$1,145 from \$2,349. The all-time spending record was set 31 years ago at \$163,375. Since then, the total has steadily diminished to a fraction of that amount.

Receipts paid to governmental affairs agents rose to \$72.2 million- an increase of 3 percent. The percentage of fees received by the top ten remained about 65 percent of all fees paid to governmental affairs agents. Nine of ten firms were on the top ten list in 2022.

Table 6
Top Ten Multi-Client Lobbying
Firms Ranked by 2023 Receipts

Firm	Receipts
Princeton Public Affairs Group Inc*	\$11,512,203
Public Strategies Impact LLC*	\$ 7,696,173
CLB Partners Inc*	\$ 6,248,390
MBI Gluckshaw*	\$ 4,038,560
The Zita Group LLC*	\$ 3,950,001
Gibbons PC*	\$ 3,653,929
McCarter & English LLP*	\$ 2,660,920
Capital Impact Group*	\$ 2,409,141
Optimus Partners LLC*	\$ 2,334,100
River Crossing Strategy Group	\$ 2,330,250
Receipts- Top Ten	\$46,833,667
Receipts- Total	\$72,232,831
Top Ten as Percent of Total	65%

^{*}Also on top ten list in 2022

Table 7
Lobbying Expenses by Category- 2019-2023

Category	2019	2020	2021	2022	2023	2022- 2023 % + or -
Salary ¹	\$ 56,148,622	\$ 55,465,036	\$58,515,812	\$61,826,240	\$62,560,485	1%
Support Personnel	\$ 2,650,872	\$ 2,152,834	\$ 2,556,858	\$ 2,649,580	\$ 2,673,981	1%
Fees ²	\$ 2,826,599	\$ 4,976,172	\$ 3,592,512	\$ 2,236,067	\$ 2,465,123	10%
Communication Costs ⁴	\$ 13,717,962	\$ 18,141,915	\$ 7,163,184	\$ 3,097,942	\$ 3,339,298	8%
Travel	\$ 486,061	\$ 168,658	\$ 144,250	\$ 233,767	\$ 331,972	42%
Benefit Passing ³	\$ 5,180	\$ 2,783	\$ 1,367	\$ 2,349	\$ 1,145	-51%
Total	\$ 75,835,295	\$ 80,907,398	\$71,973,983	\$70,045,945	\$71,372,004	2%
Compensation to Governmental Affairs Agent Not Included on Annual Reports ⁵	\$ 25,807,447	\$ 25,900,246	\$24,013,212	\$25,030,089	\$24,779,380	-1%
Adjusted Total*	\$101,642,742	\$106,807,644	\$95,987,195	\$95,076,034	\$96,151,384	1%

- 1- Salary includes in-house salaries and payments to outside agents.
- 2- Fees include assessments, membership fees and dues.
- 3- Benefit passing includes meals, entertainment, gifts, travel and lodging.
- 4- Communication costs include: printed materials, postage, telephone calls, faxes, receptions, and, in 2006 and years following, also includes direct mail pieces, newspaper advertisements, and television and radio broadcasts.
- 5- Compensation paid by Represented Entities filing the Form L–2 designating a Governmental Affairs Agent now being added due to a change in ELEC methodology to better capture all payments to outside agents

In New Jersey, lobbyists who raise or spend more than \$2,500 were required to file a report on February 15th that reflects activity from the prior calendar year.

Summary information about lobbyist activities in 2023 can be obtained at the following website: https://www.elec.nj.gov/publicinformation/gaa_annual.htm. Copies of annual reports are also available on ELEC's website.

Explanatory notes about most official contact rankings

While state law requires lobbyists to disclose their official contacts involving legislation and other regulated activities, the reader should be aware that such a contact can be limited or broad. So rankings are best guesses, not necessarily exact.

For example, a lobbyist might report that a client hospital's chief executive met with the legislative sponsor and an aide in an office. That would count as one contact.

Another lobbyist might report sending emails to all 120 members of the legislature urging them to support, oppose or modify the same bill. ELEC staff counts such an outreach effort as one official contact even though it may target more than one lawmaker.

Another caveat- while quarterly lobbying reports disclose direct attempts to influence legislation, they don't disclose more indirect efforts. Lobbyists sometimes organize "grassroots" campaigns to mobilize the public for or against legislation using advertisements aired on television or other media. Efforts to harness legislative constituents in this way are disclosed in annual lobbying reports.

Finally, official contacts on some bills signed in early January 2024 are not yet available. This means totals for some bills, such as the liquor reform bill, are likely low.

	INCLUSION DATES	REPORT DUE DATE
FIRE COMMISSIONER – FEBRUARY 17, 2024	1	
29–day Preelection Reporting Date	Inception of campaign* - 01/16/2024	01/19/2024
11–day Preelection Reporting Date	01/17/2024 - 02/03/2024	02/06/2024
20–day Postelection Reporting Date	02/04/2024 - 03/05/2024	03/08/2024
72–Hour Notice Reporting Starts on 02/04/2024 through		
24–Hour Notice Reporting Starts on 02/10/2024 through	02/17/2024	
APRIL SCHOOL BOARD – APRIL 16, 2024		
29–day Preelection Reporting Date	Inception of campaign* – 03/15/2024	03/18/2024
11–day Preelection Reporting Date	03/16/2024 - 04/02/2024	04/05/2024
20–Day Postelection Reporting Date	04/03/2024 - 05/03/2024	05/06/2024
72–Hour Notice Reporting Starts on 04/03/2024 through	04/08/2024	
24–Hour Notice Reporting Starts on 04/09/2024 through	04/16/2024	
MAY MUNICIPAL – MAY 14, 2024		
29–day Preelection Reporting Date	Inception of campaign* – 04/12/2024	04/15/2024
11–day Preelection Reporting Date	04/13/2024 - 04/30/2024	05/03/202
20–Day Postelection Reporting Date	05/01/2024 - 05/30/2024	06/03/202
72-Hour Notice Reporting Starts on 05/01/2024 through	05/06/2024	
24–Hour Notice Reporting Starts on 05/07/2024 through	05/14/2024	
RUNOFF (JUNE)** – JUNE 11, 2024		
29–day Preelection Reporting Date	No Report Required for this Period	
11–day Preelection Reporting Date	05/01/2024 – 05/28/2024	05/31/2024
20–Day Postelection Reporting Date	05/29/2024 – 06/28/2024	07/01/2024
72-Hour Notice Reporting Starts on 05/29/2024 through	06/03/2024	
24–Hour Notice Reporting Starts on 06/04/2024 through	06/11/2024	
PRIMARY (90 DAY START DATE: MARCH 06, 2024)*** – JU	UNE 04, 2024	
29-day Preelection Reporting Date	Inception of campaign* – 05/03/2024	05/06/2024
11–day Preelection Reporting Date	05/04/2024 -05/21/2024	05/24/202
20–Day Postelection Reporting Date	05/22/2024 – 06/21/2024	06/24/202
72-Hour Notice Reporting Starts on 05/22/2024 through	05/27/2024	
24–Hour Notice Reporting Starts on 05/28/2024 through	06/04/2024	
GENERAL (90 DAY START DATE: AUGUST 07, 2024)*** – 1	NOVEMBER 05, 2024	
29–day Preelection Reporting Date	06/22/2024 – 10/04/2024	10/07/2024
11–day Preelection Reporting Date	10/05/2024 – 10/22/2024	10/25/202
20–day Postelection Reporting Date	10/23/2024 -11/22/2024	11/25/202

RUN-OFF (DECEMBER)** - DECEMBER 03, 2024		
29-day Preelection Reporting Date	No Report Required for this Period	
11–day Preelection Reporting Date	10/23/2024 – 11/19/2024	11/22/2024
20-day Postelection Reporting Date	11/20/2024 – 12/20/2024	12/23/2024
72-Hour Notice Reporting Starts on 11/20/2024 throug	h 11/25/2024	
24-Hour Notice Reporting Starts on 11/26/2024 throug	h 12/03/2024	
PACS, PCFRS & CAMPAIGN QUARTERLY FILERS		
1 st Quarter	01/01/2024 - 03/31/2024	04/15/2024
2 nd Quarter	04/01/2024 – 06/30/2024	07/15/2024
3 rd Quarter	07/1/2024 - 09/30/2024	10/15/2024
4 th Quarter	10/01/2024 – 12/31/2024	01/15/2025
GOVERNMENTAL AFFAIRS AGENTS (Q-4)		
1 st Quarter	01/01/2024 - 03/31/2024	04/10/2024
2 nd Quarter	04/01/2024 – 06/30/2024	07/10/2024
3 rd Quarter	07/01/2024 – 09/30/2024	10/10/2024
4 th Quarter	10/01/2024 – 12/31/2024	01/10/2025

- * Inception Date of Campaign (first time filers) or from January 1, 2024 (Quarterly filers).
- ** A candidate committee or joint candidates committee that is filing in a 2024 Runoff election is not required to file a 20-day postelection report for the corresponding prior election (May Municipal or General).
- *** Form PFD-1 is due on April 04, 2024 for Primary Election Candidates and June 14, 2024 for Independent General Election Candidates.

Note: A 4th quarter 2023 filing is needed for Primary 2024 candidates if they started their campaign prior to December 06, 2023. A 2nd quarter 2024 filing is needed by Independent/Non-Partisan General Election candidates if they started their campaign prior to May 07, 2024.

HOW TO CONTACT ELEC

www.elec.nj.gov

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