



NEWS RELEASE

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FOR RELEASE:
April 3, 2018

LEGISLATIVE ELECTION 2015 OFFERS MORE PROOF THAT INDEPENDENT GROUPS ARE DOMINATING NEW JERSEY ELECTIONS

Heavy independent spending in the 2015 legislative election helped spur an unexpected shakeup in the state Assembly and offers more evidence that such “freelancing” by special interest groups is playing an ever-larger role in New Jersey politics, according to a new report by the New Jersey Election Law Enforcement Commission (ELEC).

“Independent special interest spending in New Jersey has risen relentlessly in statewide elections during the last decade. It really took off after a landmark 2010 U.S. Supreme Court case let corporations and unions spend unlimited sums if they avoid coordination with parties or candidates,” said Joseph Donohue, ELEC’s Deputy Director.

Donohue authored the report entitled White Paper 27: “Legislative Election 2015- Big Independent Spending, Big Assembly Shakeup.”

“At the same time the nation’s high court declared the legality of independent spending in *Citizens United v. Federal Election Commission*, it also strongly upheld the right to require these groups to fully disclose their contributions,” he said. “Regrettably, New Jersey’s anemically weak law mandates no such disclosure.”

Donohue said it is encouraging that members of both parties have introduced legislation based on ELEC recommendations that would require independent groups to identify their donors- just as political parties, candidates and political action committees have done for decades.

“Since independent spending often is used for some of the most scorching broadsides against candidates, voters have a right to know what persons or groups are behind these advertisements so they can decide whether they are credible,” he said.

“As former Governor Tom Kean once said so eloquently in testimony about secret spending by independent groups: ‘If someone wants to attack you, if someone wants to attack me, that’s fine. Sign your name.’”

Independent groups paid for at least \$5 million in mass media advertisements during the 2015 legislative campaign, including at least \$3.3 million in television ads (Table 25 in white paper).

The three legislative districts where the majority Democratic party picked up 4 Assembly seats – its biggest one-year gain in 12 years- attracted at least \$2.3 million in independent spending along with spending by parties and candidates (Table 15 in white paper).

The \$10.9 million spent by independent groups in the overall general election represented 32.5 percent of total spending- a new high through that year (Table 19 in white paper).

The large influx of independent spending in the 2015 campaign made it the most expensive general election ever when the 80 Assembly seats alone were on the ballot. Candidates and independent groups spent \$33.5 million.

**Election Spending in Years When Assembly
Members Ran Without Senate Members on Ballot**

YEAR	HOUSE	LEGISLATIVE	INDEPENDENT	TOTAL	TOTAL 2017 DOLLARS
1995	Assembly	\$10,671,042	0	\$10,671,042	\$17,144,725
1999	Assembly	\$10,873,095	0	\$10,873,095	\$15,975,879
2005	Assembly	\$23,713,193	\$ 3,476	\$23,716,669	\$29,950,382
2009	Assembly	\$18,584,098	\$ 15,999	\$18,600,097	\$21,222,649
2015	Assembly	\$22,632,814	\$10,908,983	\$33,541,797	\$34,907,713

“In the fall of 2009 before the U.S. Supreme Court ruling sparked a national surge of independent spending, independent groups spent just \$15,999 on the 2009 Assembly election. The \$10.9 million spent in 2015 was a staggering 682 times higher,” Donohue said.

Donohue said other factors also influenced the outcome in the 2015 Assembly campaign, including changing demographics and a historically low turnout.

“But given that the largest infusion of independent spending targeted the three districts where four Assembly seats changed hands, it would be hard to claim it had no impact,” he said.

Independent groups also spent \$2.1 million in the second legislative district, which has had some of the closest margins in the state the past 15 years and has drawn the most spending (Tables 15 and 18 in white paper). In 2015, each of the two major parties successfully defended an incumbent Assembly member.

The \$5.2 million in total spending in the second district (\$5.4 million with inflation) was second only to the 2005 campaign in the same district using inflation-adjusted numbers. The 2005 race, which drew the equivalent of \$5.6 million in spending, ranks as the most expensive all-time race where just Assembly members were on the ballot (Table 17 in white paper).

Copies of White Paper 27 are available at this link: www.elec.state.nj.us/aboutelec/whitepapers.htm. A summary of ELEC’s top five legislative recommendations is available here:

www.elec.state.nj.us/pdf/files/5Priority_ELEC_Recommend.pdf.