

OTHER AGENCIES

ELECTION LAW ENFORCEMENT COMMISSION

Elimination of Requirement to File Copies of Reports with County Clerks

Proposed Amendment: N.J.A.C. 19:25-8.12

Authorized By: Election Law Enforcement Commission, Jeffrey M. Brindle, Executive Director.

Authority: N.J.S.A. 19:44A-6.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2014-216.

The sitting New Jersey Election Law Enforcement Commission will conduct a **public hearing** concerning this notice of proposal on Tuesday, February 17, 2015, at 11:00 A.M. at:

Election Law Enforcement Commission
Edward J. Farrell Memorial Conference Room
28 West State Street, 12th floor
Trenton, New Jersey

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, February 13, 2015.

Submit written comments by February 17, 2015, to:

Michelle R. Levy, Associate Legal Director
Election Law Enforcement Commission
P.O. Box 185

Trenton, New Jersey 08625-0185

E-mail written comments by February 17, 2015, to: elec.rulemaking@elec.state.nj.us. Please put “Comment” in subject line.

The agency proposal follows:

Summary

Statutory changes to The New Jersey Campaign Contributions and Expenditures Reporting Act, N.J.S.A. 19:44A-1 et seq. enacted in 2014 eliminate the requirement of a candidate in an election for an office elected by a municipal or countywide constituency or a school district, or for State legislative office, to file a duplicate copy of the campaign treasurer’s report with the county clerk of the county in which the candidate resides, see P.L. 2014, c. 58. Reports continue to be required to be filed with the Commission. The Commission proposes to amend N.J.A.C. 19:25-8.12, Time and place of filing reports, at subsection (b), to codify the new statutory language by deleting the requirement to file duplicate reports with the county clerk, and specifying that candidates need not file duplicate reports with the county clerk.

As the Commission has provided at least a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirements, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The proposed amendment to N.J.A.C. 19:25-8.12 has a positive social impact, by reducing duplication of filing, and establishing a single filing requirement for candidates for elective public office in the State of New Jersey.

Economic Impact

The proposed amendment will reduce costs for candidates to elective offices by decreasing copying costs of reports, and eliminating the need for delivering copies of reports to the county clerk in person or by mail. The amendment to N.J.A.C. 19:25-8.12 will increase efficiency in the reporting process by allowing filing to be achieved directly with the Commission. The amendment further increases the county clerks' efficiency by eliminating the need of county staff to process campaign treasurer's reports.

Federal Standards Statement

A Federal standards analysis is not required because the proposed amendment concerns New Jersey filing entities. The amendment is not subject to any Federal requirements or standards.

Jobs Impact

The proposed amendment is not expected to result in the generation or loss of jobs.

Agriculture Industry Impact

The proposed amendment is not expected to have any impact on the agriculture industry in the State of New Jersey.

Regulatory Flexibility Statement

The proposed amendment does not impose recordkeeping, reporting, or other compliance requirements on small businesses as that term is defined under the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., as the proposed amendment concerns candidates in New Jersey, and New Jersey county clerks.

Housing Affordability Impact Analysis

The proposed amendment will have an insignificant impact on affordable housing in New Jersey and there is an extreme unlikelihood that the amendment regarding the elimination of duplicate filing with county clerks would evoke a change in the average costs associated with housing.

Smart Growth Development Impact Analysis

The proposed amendment will have an insignificant impact on smart growth development and there is an extreme unlikelihood that it will evoke a change in housing production in Planning Areas 1 or 2, within designated centers, under the State Development and Redevelopment Plan in New Jersey because the rule concerns the elimination of duplicate filing with county clerks.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 8. CANDIDATE, JOINT CANDIDATES, AND POLITICAL COMMITTEE REPORTING

19:25-8.12 Time and place of filing reports

(a) (No change.)

[(b) One copy of a candidate committee, or joint candidates committee, report filed pursuant to N.J.A.C. 19:25-8.1 shall be filed with the county clerk of the county in which the candidate, or joint candidates, seek office. A candidate, or joint candidates, for State legislative office shall file a copy with the county clerk of the county, or county clerks of the counties, in which the candidate, or joint candidates, resides or reside, if the legislative district includes more than one county. Such a report shall be duly certified as a duplicate copy by the campaign treasurer.]

(b) No candidate for elective public office shall be required to file a duplicate copy of the campaign treasurer's report with the county clerk of the county in which the candidate resides.

(c) (No change.)