

OTHER AGENCIES

ELECTION LAW ENFORCEMENT COMMISSION

Annual Fee for Governmental Affairs Agents

Adopted Amendment: N.J.A.C. 19:25-20.20

Proposed: March 2, 2015, at 47 N.J.R. 518(a) (see also 47 N.J.R. 888(a)).

Adopted: June 16, 2015, by the Election Law Enforcement Commission, Jeffrey M. Brindle,
Executive Director.

Filed: June 17, 2015, as R.2015 d.114, **without change**.

Authority: N.J.S.A. 52:13C-23.2.

Effective Date: July 20, 2015.

Expiration Date: March 25, 2017.

The New Jersey Law Enforcement Commission (Commission) has established by rule a \$425.00 annual registration fee for each governmental affairs agent; see N.J.A.C. 19:25-20.20(a). A governmental affairs agent (GAA) is defined as a person who is compensated to influence legislation, regulations, or governmental processes by communicating with or providing a benefit to a high level State official for more than 20 hours in a calendar year; see N.J.S.A. 52:13C-20.g and N.J.A.C. 19:25-20.2. The \$425.00 annual fee was established in 2004.

The Commission hereby increases the annual fee by \$150.00 to \$575.00 in order to establish and maintain the Commission's electronic infrastructure used to administer the Legislative and Governmental Process Activities Disclosure Act, see N.J.S.A. 52:13C-18 et seq., based on the cumulative rate of inflation for the last decade and an increase in spending by GAAs

during that time. N.J.A.C. 19:25-20.20(a) and (b) are amended to indicate a \$575.00 annual fee for each GAA.

Summary of Hearing Officer's Recommendations and Agency Response:

A public hearing on the notice of proposal was conducted before the New Jersey Election Law Enforcement Commission (Commission) on May 26, 2015, in the Edward J. Farrell Memorial Conference Room, 28 West State Street, 12th Floor, Trenton, New Jersey. No witnesses appeared to testify. Advance written notice of the hearing was circulated on or about April 8, 2015, to the county clerks, the State House press corps, and other interested individuals. The hearing officer recommended that the Commission adopt the amendment without change. The Commission voted on June 16, 2015, to adopt the amendment, with no change. The record of opportunity for the public to be heard may be reviewed by contacting Michelle R. Levy, Esq., Associate Legal Director, Election Law Enforcement Commission, PO Box 185, Trenton, NJ 08625-0185.

Summary of Public Comment and Agency Response:

The period for receipt of written comments expired on May 26, 2015, and one written comment was received.

COMMENT: Donald Sico of Donald Sico & Co. LLC provided a comment suggesting that "perhaps the Commission might want to consider at some point a tiered fee that takes into account those agents who report millions in lobbying fees and those who only report a few hundred dollars." He did not specifically support or oppose the current proposed increase in the annual fee.

RESPONSE: The Commission thanked Mr. Sico for his comment. Mr. Sico did not suggest current action. Accordingly, the Commission adopts the proposed amendment, without change.

Federal Standards Statement

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

Full text of the adoption follows:

TEXT