



WHITE PAPER 31:

LEGISLATIVE ELECTION
2021- THE SOUTHERN
TSUNAMI



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State of New Jersey

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ACKNOWLEDGEMENT

“Legislative Election 2021- The Southern Tsunami” is the 31st white paper released by the New Jersey Election Law Enforcement Commission (ELEC) since 1988.

This series has been cited in media reports, political science literatures, and in studies prepared by sister agencies and advocacy groups.

The documents serve as reference works and provide valuable background and guidance for the Governor’s Office, legislators and other policy makers. Some recommendations have helped spur legislative proposals and even new laws.

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All 31 white papers are available on ELEC’s website at www.elec.nj.gov/aboutelec/whitepapers.htm.

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SUMMARY

On September 1, 2021, a powerful tornado ripped through Gloucester County, leaving a corridor of destruction and scores of shocked homeowners.

During the November 2, 2021 election two months later, what was described by one party leader as a political “tsunami”¹ tore through the same region and caused one of the biggest upsets in New Jersey political history.

An unforeseen voter upswell ousted then-Senate President Steve Sweeney along with his two running mates. All were long-time incumbents. The Senate leader was defeated by a little-known candidate, Republican Edward Durr, Jr., a Swedesboro truck driver.

The GOP regained the 3rd legislative district for the first time since 2001. It happened two years after they had recaptured all three legislative seats in Cape May County in 2019.

Democrats in 2021 also lost all three legislative seats in Atlantic County for the first time since 2005, yielded the state Senate seat in Burlington County and gave up two state Assembly seats in Monmouth County. Democrats did pick up a Senate seat in the 16th district.

Despite the surprise upsets even though the majority party held a huge fund-raising edge, Democrats retained control of both legislative houses. Their dominance dates to 2002.

The Democratic majority peaked at 79 seats in both houses- 66 percent of the 120 seats- in 2018. It dipped to 70 seats and 58 percent, respectively, in 2021.

Table 1 New Jersey Legislative Seats by Party Affiliation				
Year	Democrat	Republican	Majority	Minority
2002	64	56	53%	47%
2004	69	51	58%	43%
2006	71	49	59%	41%
2008	71	49	59%	41%
2010	70	50	58%	42%
2012	72	48	60%	40%
2014	72	48	60%	40%
2016	76	44	63%	37%
2018	79	41	66%	34%
2020	77	43	64%	36%
2022	70	50	58%	42%

¹ Sutton, Sam “Norcross: Election Day was a ‘Tsunami’ and New Jersey Democrats are in Trouble,” Politico, November 7, 2021.

SUMMARY

The 2021 election was the second most expensive legislative contest in dollars unadjusted for inflation. Accounting for inflation, it ranked fifth among election years since 2001 when both houses were up for grabs.

Table 2 2021 Election Spending Versus Other Elections With Both Houses Running		
Year	Total Spending	In 2023 Dollars
2017	\$70,726,901	\$87,752,775
2013	\$58,822,048	\$76,792,597
2003	\$44,995,112	\$74,370,807
2007	\$47,396,847	\$69,521,182
2021	\$59,475,800	\$66,239,103
2011	\$45,859,772	\$62,004,343
2001	\$35,716,857	\$61,369,834

While spending overall set no new record, outlays in two legislative districts ranked among the top ten costliest races of all time. The 8th legislative district race in 2021 ranked third all-time while the 2nd legislative district race ranked 5th.

Table 3 Top Ten Costliest Legislative Races by District				
District	Counties	Year	Total Spending	Inflation Adjusted
3	Gloucester/Salem/Cumberland	2017	\$24,102,940	\$29,132,386
4	Camden/Gloucester	2003	\$ 6,142,441	\$10,152,620
8	Atlantic/Burlington/Camden	2021	\$ 8,495,560	\$ 9,535,112
12	Monmouth	2007	\$ 5,963,939	\$ 8,747,841
2	Atlantic	2021	\$ 7,766,259	\$ 8,716,570
2	Atlantic	2011	\$ 5,806,467	\$ 7,850,588
38	Bergen/ Passaic	2013	\$ 5,910,318	\$ 7,715,962
3	Gloucester/Salem/Cumberland	2003	\$ 4,548,302	\$ 7,517,725
1	Cape May/Cumberland	2007	\$ 4,975,772	\$ 7,298,408
38	Bergen/ Passaic	2011	\$ 5,183,499	\$ 7,008,309

SUMMARY

Including spending from 2021, the ranking of the top five most expensive legislative districts during the past two decades remained unchanged from 2019.

After hosting what is believed to be the most expensive legislative election in U.S. history in 2017, the 3rd Legislative District held onto the top spot at \$48.3 million.

Legislative District	Total District Spending 2001-2021	Rank	Costliest Race**	Year	Number of Years Top Race	Number of Year Among Top Five Races
3	\$48,339,264	1	\$24,102,940*	2017	2	6
2	\$40,362,531	2	\$ 7,766,260	2021	3	7
1	\$27,079,591	3	\$ 4,975,772	2007	2	6
38	\$23,526,715	4	\$ 5,910,318	2013	1	4
14	\$23,173,454	5	\$ 3,870,063	2013	1	7

*The 2017 3rd District race is believed to be the costliest state legislative race in U.S. history.

**Unadjusted for inflation

Spending by independent committees funded by special interests played a major role in 2021 as they have in New Jersey elections since 2009.

The top spender was American Democratic Majority, a 527 political organization affiliated with George Norcross III, the Democratic leader of southern New Jersey.

It spent nearly \$5.4 million. Fifteen independent groups combined spent \$14 million on the 2021 general election (See Table 26).

Since 2011, four fund-raising committees established primarily to elect southern New Jersey candidates have spent a combined \$33.8 million on legislative elections- the most of any single independent spender.

SUMMARY

Table 5 Top Ten Independent Spenders in Legislative Elections- 2011-2021 (Primary and General Elections)	
	Amount
American Democratic Majority, General Majority PAC, General Growth Fund, Fund for Jobs Growth and Security*	\$33,846,302
Garden State Forward (New Jersey Education Association)	\$21,882,943
Carpenters Action Fund, Carpenters Fund for Growth and Progress, Working for Working Americans (Carpenters)	\$ 6,546,405
New Jerseyans for a Better Tomorrow	\$ 6,431,203
NJ Coalition of Real Estate, National Association of Realtors Fund	\$ 3,754,163
Stronger Foundations Inc (Operating Engineers)	\$ 2,534,723
Republican State Leadership Committee	\$ 1,447,187
NJ United	\$ 1,411,073
Better Education for NJ Kids Inc.	\$ 1,002,653
Americans for Prosperity	\$ 900,000
Total	\$79,756,652

*Fund-raising committees set up primarily to elect southern NJ candidates.

Following a long-time ELEC recommendation, the Legislature expanded disclosure requirements for independent expenditure committees.

Independent expenditure groups that participate in state, county or local elections must now disclose contributions above \$7,500 as well as all expenses.

Previously, no contribution disclosure was statutorily required.

While expanded disclosure is welcome, it is insufficient. The new law, which in bill form was entitled “The Elections Transparency Act,” exempted independent expenditure groups from quickly disclosing contributions and expenditures that occur within the last 13 days before an election. Under the old law, their significant last-minute expenditures were publicly disclosed.

It is recommended that the contribution disclosure threshold for independent expenditure committees be lowered from \$7,500 to \$5,000, which is the donor disclosure threshold for 501(c) 4 reports filed with the Internal Revenue Service.

In addition, lawmakers should require disclosure by these groups of all contributions above \$5,000 and all expenditures above \$200 within the final 13 days of the campaign subject to the same turnaround times as candidates, parties and traditional political action committees.

SUMMARY

Table 6 Reporting of Last-Minute Contributions and Expenditures		
Requirements	Old Law	New Law
Disclosure Threshold	Above \$1,900	Above \$200
Reporting period- Days before election	13	13 to 8 days/ 7 days
Transaction should be reported to ELEC within:	48 hours	72 hours/ 24 hours
Last minute reporting must be done by:	All committees	All but independent expenditure committees

KEY FUNDRAISING TRENDS

Table 7 Fundraising and Spending in Legislative General Elections 2001-2021						
Year	Raised By Legislators	Spent by Legislators	Houses Running?	Independent Spending	Total Spending	Total In 2023 Dollars
2001	\$34,825,851	\$32,550,394	S, A	\$ 3,166,463	\$35,716,857	\$61,369,834
2003	\$47,911,008	\$44,990,255	S, A	\$ 4,857	\$44,995,112	\$74,370,807
2005	\$25,081,696	\$23,713,193	A	\$ 3,476	\$23,716,669	\$36,932,306
2007	\$50,797,317	\$47,231,847	S, A	\$ 165,000	\$47,396,847	\$69,521,182
2009	\$20,457,342	\$18,584,098	A	\$ 15,999	\$18,600,097	\$26,367,441
2011	\$45,656,674	\$44,024,272	S, A	\$ 1,835,500	\$45,859,772	\$62,004,343
2013	\$46,691,108	\$43,446,977	S, A	\$15,375,071	\$58,822,048	\$76,792,597
2015	\$22,883,719	\$22,632,814	A	\$10,908,983	\$33,541,797	\$43,038,964
2017	\$44,117,517	\$44,164,473	S, A	\$26,562,428	\$70,726,901	\$87,752,775
2019	\$24,097,296	\$21,626,895	A*	\$ 9,283,402	\$30,910,297	\$36,770,579
2021	\$47,896,089	\$45,474,841	S, A	\$14,000,959	\$59,475,800	\$66,239,103

*Also special state Senate election in 1st District.

Table 8 Average Spent Per Legislative Seat and District (Inflation Adjusted)				
Year	Total Spending In 2023 Dollars	Contested Seats	Average Per Seat	Average Per District
2001	\$61,369,834	120	\$511,415	\$1,534,246
2003	\$74,370,807	120	\$619,757	\$1,859,270
2005	\$36,932,306	81*	\$455,954	\$ 923,308
2007	\$69,521,182	120	\$579,343	\$1,738,030
2009	\$26,367,441	82*	\$321,554	\$ 659,186
2011	\$62,004,343	120	\$516,703	\$1,550,109
2013	\$76,792,597	120	\$639,938	\$1,919,815
2015	\$43,038,964	81*	\$531,345	\$1,075,974
2017	\$87,752,775	120	\$731,273	\$2,193,819
2019	\$36,770,579	81*	\$453,958	\$ 919,264
2021	\$66,239,103	120	\$551,993	\$1,655,978

*Includes special elections.

KEY FUNDRAISING TRENDS

Table 9
Legislative Fundraising and Spending by Party*

Year	Democrats Raised	Democrats Spent	Republicans Raised	Republicans Spent**
2001	\$19,344,839	\$18,350,917	\$15,433,716	\$14,144,262
2003	\$29,159,958	\$28,528,080	\$18,649,276	\$16,366,548
2005	\$17,560,153	\$16,522,626	\$ 7,514,067	\$ 7,176,582
2007	\$35,617,962	\$33,394,029	\$14,844,892	\$13,532,754
2009	\$14,674,311	\$13,188,346	\$ 5,682,968	\$ 5,267,534
2011	\$31,838,968	\$31,055,091	\$13,740,008	\$12,909,239
2013	\$31,023,841	\$28,724,119	\$15,579,153	\$14,635,432
2015	\$16,343,437	\$15,918,780	\$ 6,538,259	\$ 6,712,224
2017	\$32,755,854	\$31,613,363	\$11,342,193	\$12,531,796
2019	\$18,461,817	\$15,926,740	\$ 5,596,956	\$ 4,973,048
2021	\$36,895,799	\$33,493,687	\$11,000,290	\$11,981,154

*Independent candidates in 2019 also raised \$38,523 and spent \$37,222.

**Spending may be larger than fundraising due to use of cash reserves.

Table 10
Spending Advantage of Incumbent Legislators Over Challengers

Year	Incumbents Spent	Challengers Spent	Incumbent Percent	Challenger Percent
2001	\$14,326,038	\$13,670,769	51%	49%
2003	\$25,376,630	\$15,069,233	63%	37%
2005	\$14,279,965	\$ 8,219,657	63%	37%
2007	\$22,242,726	\$21,160,907	51%	49%
2009	\$12,761,309	\$ 3,230,602	80%	20%
2011	\$32,174,797	\$11,849,475	73%	27%
2013	\$33,525,856	\$ 9,921,121	77%	23%
2015	\$17,331,766	\$ 5,301,048	77%	23%
2017	\$26,737,008	\$12,153,041	69%	31%
2019	\$15,557,546	\$ 5,379,464	74%	26%
2021	\$33,493,687	\$11,981,154	74%	26%

KEY FUNDRAISING TRENDS

Since 2001, an average of 97 percent of Assembly incumbents have won reelection. The reelection rate for 2021 was 93 percent. As for the Senate, the long-term average reelection rate is 95 percent. It was 94 percent in 2021.

Table 11 Number of Legislative Incumbents Winning Reelection by Year				
ASSEMBLY				
Year	Total	Won	Lost	Percent Won
2001	59	56	3	94.9
2003	72	68	4	94.4
2005	73	70	3	95.9
2007	54	53	1	98.1
2009	71	71	0	100
2011	66	65	1	98
2013	74	72	2	97.3
2015	74	70	4	95
2017	70	70	0	100
2019	73	71	2	97
2021	69	64	5	93%
2001-2021	755	730	25	97%
SENATE				
2001	32	29	3	91%
2003	37	35	2	94.4
2007	27	24	3	88.9
2011	37	37	0	100
2013	39	39	0	100
2017	37	35	2	94.6
2021	36	34	2	94%
2001-2021	245	233	12	95%

The average contribution was \$2,276 in 2021.

While it is higher than the 2019 total, it is the third smallest average since 2001 when comparing inflation-adjusted figures.

Averages for all four legislative elections since 2013 are less than the \$3,101 inflation adjusted average since 2001.

KEY FUNDRAISING TRENDS

Table 12 Average Contributions to Legislative Candidates (Disclosed Contributions Only)		
Year	Average Contribution	Inflation Adjusted
2003	\$2,803	\$4,657
2001	\$2,436	\$4,207
2013	\$2,668	\$3,501
2011	\$2,501	\$3,399
2009	\$2,147	\$3,059
2005	\$1,800*	\$2,817
2015	\$2,093	\$2,699
2017	\$2,161	\$2,695
2021	\$2,276	\$2,568
2019	\$1,954	\$2,336
2007	\$1,472*	\$2,170
2001-2021 averages	\$2,210	\$3,101

*Clean Elections Program in effect, which led to a large number of small contributions and lower average.

Table 13 Range of Contributions Received by Legislative Candidates					
Range	Count	Percent Count	Amount	Percent Amount	Averages
>\$100,000	15	0.06%	\$ 3,922,060	12%	\$261,471
\$25,001 to \$100,000	77	0.32%	\$ 3,971,321	12%	\$ 51,576
\$5,001 to \$25,000	851	3%	\$ 8,344,187	26%	\$ 9,805
\$4,001 to \$5,000	253	1%	\$ 1,226,048	4%	\$ 4,846
\$3,001 to \$4,000	190	0.78%	\$ 687,204	2%	\$ 3,617
\$2,001 to \$3,000	1,974	8%	\$ 5,064,458	16%	\$ 2,566
\$1,001 to \$2,000	1,388	6%	\$ 2,206,855	7%	\$ 1,590
\$301 to \$1,000	7,309	30%	\$ 4,931,008	15%	\$ 675
\$300 or Less (Disclosed)	1,176	5%	\$ 185,758	1%	\$ 158
\$300 or Less* (Undisclosed)	11,122	46%	\$ 1,756,812	5%	\$ 158
Totals	24,355	100%	\$32,295,711²	100%	\$ 1,326

*Candidates are not required to disclose contributions of \$300 or less. They must report only a lump sum total of all such contributions. For 2021, this total was \$1,756,812. Some candidates voluntarily disclose contributions of \$300 or less. The estimated number of undisclosed contributions of 11,103 is based on \$158 average for disclosed contributions in this category.

² Excludes funds transferred from primary, refunds and interest.

KEY FUNDRAISING TRENDS

While the overall average size of campaign checks was down in 2021, candidates still depended heavily on the biggest checks.

Checks greater than \$5,000 represented only 4 percent of all checks but supplied half the funds raked in by candidates.

Table 14 Contributions Received by Legislative Candidates- Small vs. Large				
Range	Count	Percent Count	Amount	Percent Amount
\$5,000 or less	23,412	96%	\$16,058,143	50%
>\$5,000	943	4%	\$16,237,568	50%
Totals	24,355	100%	\$32,295,711	100%

LEGISLATIVE SELF-FINANCING

Self-financing in legislative elections continued to be a minor factor in 2021.

Personal outlays by legislators were less than one fourth the peak year of 2007 though they were considerably higher than the \$54,814 spent in 2019.

Table 15			
Self-Financing by Legislative Candidates			
Election Year	Total	Total- Inflation Adjusted	
2007	\$1,668,928	\$2,447,966	High
2021	\$ 392,157	\$ 440,143	Most Recent
1989	\$ 25,650	\$ 62,910	Low

During the 2021 election, three candidates donated more than \$50,000 of their personal funds to their campaigns.

Republican Vincent Polistina, who won the state Senate seat in the 2nd Legislative District, gave \$110,000 to his campaign account.

Ruth Dugan, a Democrat who unsuccessfully sought the 39th Legislative District Senate seat, put \$108,000 into her challenge.

Adam Elias, a Republican who failed to capture the 14th Legislative District Senate seat, chipped in \$90,000 to his election fund. Sixteen other candidates gave smaller amounts ranging from \$96 to \$25,000.

The biggest personal check ever written by a legislative candidate to their own campaign remains the \$167,043 provided by Joel Shain to his 1983 state Senate primary account-\$510,063 in today's dollars.

SOURCES OF CONTRIBUTIONS

As in 2019, the top five general sources of contributions in 2021 were candidate committees (mainly legislative); unions; legislative leadership committees; businesses- miscellaneous; and state party committees.

The top five in 2019 provided \$9.7 million - 66 percent- of the total contributions.

In 2021, the top five sources were candidate committees (mainly legislative); unions; legislative leadership committees; businesses- miscellaneous; and lawyers.

The amount and percentage rose, respectively, to \$20.5 million and 68 percent.

Rounding out the top ten were real estate interests, county party committees, engineers, political committees, and pharmaceutical companies.

Table 16 General Sources of Contributions to Legislative Candidates			
Contributor	Total	Contributor	Total
Candidate Committees (Mostly Legislative)	\$10,136,639	Lobbyists	\$ 338,448
Unions	\$ 5,287,977	Doctors	\$ 320,568
Legislative Leadership Committees	\$ 2,255,617	Energy	\$ 291,100
Businesses- Miscellaneous	\$ 1,556,268	Health Care Donors- Miscellaneous	\$ 275,105
Lawyers	\$ 1,312,611	Alcoholic Beverage Donors	\$ 260,365
State Party Committees	\$ 1,226,199	Government Workers	\$ 211,316
Real Estate Donors	\$ 1,034,586	Finance Donors	\$ 190,016
County Party Committees	\$ 747,437	Telecommunications Donors	\$ 185,750
Engineers	\$ 579,799	Food Service Donors	\$ 144,620
Political Committees	\$ 568,716	Education-related Donors	\$ 111,300
Drug Firms	\$ 499,725	Horse Racing Donors	\$ 107,600
Construction Donors	\$ 478,190	Unemployed Donors	\$ 105,702
Transportation Donors	\$ 364,075	Others	\$1,132,277
Insurance Donors	\$ 361,240		
Retired Donors	\$ 348,897	TOTAL	\$30,432,142

SOURCES OF CONTRIBUTIONS

Twenty special interest committees gave more than \$100,000 in contributions to legislative candidates. Combined, they donated more than \$4.8 million- 16 percent of total contributions.

The list includes 11 unions, two real estate groups, an ideological group and a political committee, and committees representing lawyers, car retailers, an insurance company, building contractors and engineers.

Source	Total	Type
NJ State Laborers PAC	\$ 576,300	Union
Operating Engineers Local 825 PAC	\$ 500,200	Union
Realtors PAC	\$ 429,200	Real Estate
New Jersey State PBA PAC	\$ 363,967	Union
Greater NJ Carpenters Political Education Committee	\$ 334,800	Union
New Jersey Association for Justice	\$ 325,200	Lawyers
NJEA PAC (Teachers)	\$ 298,600	Union
New Jobs PAC	\$ 240,900	Ideological
CWA NJ PEC	\$ 208,300	Union
Progressive Turnout Project	\$ 180,000	Political Committee
IBEW Local 351 State PAC Fund (Electrical Workers)	\$ 154,700	Union
New Jersey Apartment Association PAC	\$ 150,700	Real Estate
Blue PAC (Horizon Blue Cross Blue Shield Employees)	\$ 150,000	Insurance
IBEW Local 102 PAC (Electrical Workers)	\$ 148,200	Union
CAR PAC	\$ 141,950	Car Retailers
IBEW 164 PAC (Electrical Workers)	\$ 141,600	Union
BAC Administrative District Council of New Jersey PAC	\$ 132,250	Union
District Council of Northern New Jersey Ironworkers PAC	\$ 128,800	Union
Constructors For Good Government Inc	\$ 117,700	Contractors
CME Associates	\$ 104,750	Engineers
Total	\$4,828,117	
Percentage of Total Contributions	16%	

SOURCES OF CONTRIBUTIONS

Twenty-seven candidate or party sources gave more than \$100,000 to legislative candidate committees. They collectively gave \$10.6 million- 35 percent- of the total legislative candidate contributions.

Table 18 Candidate or Party Sources that Gave More than \$100,000 to Legislative Candidates		
Committee	Total	Party
Sweeney For Senate	\$ 1,844,061	Democrat
Democratic Assembly Campaign Committee	\$ 1,341,327	Democrat
New Jersey Republican State Committee	\$ 1,118,240	Republican
Gopal For Senate	\$ 947,496	Democrat
Zwicker For Senate	\$ 628,407	Democrat
EFO Dawn Addiego	\$ 534,238	Democrat
New Jersey Senate Democratic Majority	\$ 450,000	Democrat
Mazzeo For Senate	\$ 385,600	Democrat
Houghtaling For Assembly	\$ 342,763	Democrat
Freiman For Assembly	\$ 335,889	Democrat
Assembly Republican Victory	\$ 296,860	Republican
Downey For Assembly	\$ 237,501	Democrat
EFO Mark Natale for Assembly	\$ 227,254	Democrat
EFO Allison Eckel for Assembly	\$ 209,639	Democrat
Greenstein For Senate	\$ 180,304	Democrat
Burzichelli For Assembly	\$ 170,000	Democrat
Senate Republican Majority	\$ 167,430	Republican
Jaffer for Assembly	\$ 149,530	Democrat
Hugin, Robert (Republican State Committee Chairman)	\$ 130,000	Republican
Atlantic County Democratic Committee	\$ 127,000	Democrat
Union County Democratic Committee	\$ 118,200	Democrat
Solomeno for Senate	\$ 115,050	Democrat
Polistina for Senate	\$ 111,167	Republican
Dugan, Ruth (state Senate Candidate)	\$ 108,000	Democrat
New Jersey Democratic State Committee	\$ 107,209	Democrat
Claire Swift For Assembly	\$ 104,756	Republican
Grayzel For Senate	\$ 102,500	Democrat
Donors of \$100,000 or More	\$10,590,421	
Percentage of Total Contributions	35%	

SOURCES OF CONTRIBUTIONS

Continuing political committees, better known as political action committees (PACs), gave a record \$8.7 million to legislative candidates for the 2021 general election. PACs in 2015, 2017 and 2019 gave larger percentages than the 29 percent in 2021.

Year	Total PAC Dollars	% of Total Contributions
2001	\$3,558,171	14%
2003	\$4,603,534	14%
2005	\$3,212,830	18%
2007	\$6,123,214	16%
2009	\$3,675,039	25%
2011	\$6,485,603	22%
2013	\$7,141,747	23%
2015	\$4,671,762	33%
2017	\$8,164,821	31%
2019	\$5,072,362	34%
2021	\$8,709,306	29%

Since 2005, union PACs have been the major source among all PAC donors. They represented 61 percent of all PAC contributions in 2021.

PAC Type	Amount	% of PACs
Union PAC	\$5,275,827	61%
Professional/Trade Association PAC	\$2,083,895	24%
Ideological PAC	\$ 584,709	7%
Regulated Industries PAC	\$ 507,750	6%
Misc. Business PAC	\$ 255,125	3%
All PAC Total	\$8,709,306	100%

SOURCES OF CONTRIBUTIONS

Union PACs contributed a record \$5.3 million to legislative candidates in 2021. That represents 61 percent of all PAC contributions. Their share was slightly higher on a percentage basis in 2019- 21 percent of total contributions and 62 percent of total PAC contributions.

Table 21 Union PAC Contributions as a Percentage of Total Contributions to Legislative Candidates and Total Share of PAC Contributions (Highs in Bold)			
Year	Union PAC Contributions	% of Total Contributions	% of Total PAC Contributions
2001	\$1,055,100	4%	30%
2003	\$1,444,337	4%	31%
2005	\$1,305,840	7%	41%
2007	\$2,362,245	6%	39%
2009	\$1,505,830	10%	41%
2011	\$3,073,812	10%	47%
2013	\$3,935,864	13%	55%
2015	\$2,814,260	20%	60%
2017	\$4,574,763	17%	56%
2019	\$3,134,630	21%	62%
2021	\$5,275,827	17%	61%

BATTLEGROUND DISTRICTS

Two of the top ten most costly legislative elections occurred in 2021. The 8th legislative district drew \$8.5 million in spending, while the 2nd legislative district had a price tag of \$7.8 million.

District	Candidates	Indies	Totals
8	\$ 4,053,552	\$ 4,442,008	\$ 8,495,560
2	\$ 3,426,832	\$ 4,339,428	\$ 7,766,260
11	\$ 3,887,841	\$ 276,036	\$ 4,163,877
3	\$ 3,759,083		\$ 3,759,083
16	\$ 3,055,875	\$ 81,321	\$ 3,137,196
36	\$ 2,323,349		\$ 2,323,349
21	\$ 1,790,266	\$ 234,701	\$ 2,024,967
25	\$ 1,416,844		\$ 1,416,844
39	\$ 984,817		\$ 984,817
13	\$ 885,943		\$ 885,943
Top 10	\$25,584,402	\$ 9,373,494	\$34,957,896
Top 10 %	56%	67%	59%
Top 2	\$ 7,480,384	\$ 8,781,436	\$16,261,820
Top 2 %	16%	63%	27%
All 40	\$45,474,841	\$14,000,959	\$59,475,800

Adjusting for inflation, the 8th district race ranks third all-time while the 2nd district race ranks fifth.

District	Counties	Year	Total Spending	Inflation Adjusted
3	Gloucester/Salem/Cumberland	2017	\$24,102,940	\$29,132,386
4	Camden/Gloucester	2003	\$ 6,142,441	\$10,152,620
8	Atlantic/Burlington/Camden	2021	\$ 8,495,560	\$9,535,112
12	Monmouth	2007	\$ 5,963,939	\$8,747,841
2	Atlantic	2021	\$ 7,766,259	\$8,716,570
2	Atlantic	2011	\$ 5,806,467	\$7,850,588
38	Bergen/ Passaic	2013	\$ 5,910,318	\$7,715,962
3	Gloucester/Salem/Cumberland	2003	\$ 4,548,302	\$7,517,725
1	Cape May/Cumberland	2007	\$ 4,975,772	\$7,298,408
38	Bergen/ Passaic	2011	\$ 5,183,499	\$7,008,309

BATTLEGROUND DISTRICTS

Even with 2021 spending factored in, the ranking of the top five most expensive legislative districts during the past two decades remained unchanged from 2019.

After hosting what is believed to be the most expensive legislative election in U.S. history in 2017, the 3rd Legislative District held onto the top spot.

Table 24
Battleground Districts with Most Spending- 2001-2021

Legislative District	Total District Spending 2001-2021	Rank	Costliest Race**	Year	Number of Years Top Race	Number of Year Among Top Five Races
3	\$48,339,264	1	\$24,102,940*	2017	2	6
2	\$40,362,531	2	\$ 7,766,260	2021	3	7
1	\$27,079,591	3	\$ 4,975,772	2007	2	6
38	\$23,526,715	4	\$ 5,910,318	2013	1	4
14	\$23,173,454	5	\$ 3,870,063	2013	1	7

*The 2017 3rd District race is believed to be the costliest state legislative race in US history.

**Unadjusted for inflation.

IMPACT OF INDEPENDENT GROUPS

Independent committees are supposed to operate separately from candidate or party committees and have become a dominant force in state and national elections. They spent more than \$14 million in the 2021 legislative general election. That represents the third highest amount dating to 2001.

On a percentage basis, independent spending represented 23.5 percent of total spending- the lowest share since 2011. Even so, it was nearly one-quarter of all legislative spending and more than all independent spending in legislative elections between 2001 to 2012.

Overall spending of \$59.5 million ranked second to 2017 in nominal dollars but fifth when all totals are adjusted to reflect current buying power.

Year	Spent By Legislators	Independent Spending	Total Spending	%
2001	\$32,550,394	\$ 3,166,463	\$35,716,857	8.9%
2003	\$44,990,255	\$ 4,857	\$44,995,112	0.01%
2005	\$23,713,193	\$ 3,476	\$23,716,669	0.01%
2007	\$47,231,847	\$ 165,000	\$47,396,847	0.3%
2009	\$18,584,098	\$ 15,999	\$18,600,097	0.1%
2011	\$44,024,272	\$ 1,835,500	\$45,859,772	4.0%
2012*	\$ 758,612	\$ 299,049	\$ 1,057,661	28.3%
2013	\$43,446,977	\$15,375,071	\$58,822,048	26.1%
2015	\$22,632,814	\$10,908,983	\$33,541,797	32.5%
2017	\$44,164,473	\$26,562,428	\$70,726,901	37.6%
2019**	\$21,626,895	\$ 9,283,402	\$30,910,297	30.0%
2021	\$45,474,841	\$14,000,959	\$59,475,800	23.5%

*Special election involving just three Assembly seats.

**Special state Senate election in 1st Legislative District.

IMPACT OF INDEPENDENT GROUPS

The dominant independent spending group in 2021 was American Democratic Majority. It spent \$5.3 million- mostly on southern New Jersey candidates.

Table 26 Independent Spending as Share of 2021 Legislative General Election Spending	
Independent Spender	Total
American Democratic Majority	\$ 5,353,157
Garden State Forward	\$ 3,568,154
Working for Working Americans (Carpenters)	\$ 1,500,000
Carpenters Action Fund	\$ 1,225,000
Women for Stronger NJ	\$ 690,717
Republican State Leadership Committee	\$ 488,965
NJ Coalition of Real Estate	\$ 321,125
Turnout Project	\$ 298,705
Stronger Foundations (Operating Engineers)	\$ 183,000
NJ League of Conservation Voters Victory Fund	\$ 108,970
UA Political Action Fund (Plumbers)	\$ 100,000
Building the Majority PAC	\$ 85,287
Better Days PAC	\$ 50,084
NJ Bankers Association	\$ 19,984
New Jersey Right to Life	\$ 7,810
Total	\$14,000,959

Independent groups overwhelmingly supported Democratic candidates in 2021.

Table 27 Breakdown of Spending by 2021 Independent Spending by Party		
Party	Total Independent Spending	Percent of Total
Democrat	\$12,480,479	89%
Republican	\$ 1,501,277	11%
No Party Designation	\$ 19,203	0.1%
Total	\$14,000,959	100%

IMPACT OF INDEPENDENT GROUPS

Since 2011, four fund-raising committees created primarily to elect southern New Jersey candidates have spent a combined \$33.8 million on legislative elections- the most of any independent group and 42 percent of the \$79.7 million spent during that period by the top ten spenders.

Table 28 Top Ten Independent Spenders in Legislative Races- 2011-2021 (Primary and General Election Spending)	
Independent Spender	Amount
American Democratic Majority, General Majority PAC, General Growth Fund, Fund for Jobs Growth and Security*	\$33,846,302
Garden State Forward, New Jersey Education Association	\$21,882,943
Carpenters Action Fund, Carpenters Fund for Growth and Progress, Working for Working Americans (Carpenters)	\$ 6,546,405
New Jerseyans for a Better Tomorrow	\$ 6,431,203
NJ Coalition of Real Estate, National Association of Realtors Fund	\$ 3,754,163
Stronger Foundations Inc (Operating Engineers)	\$ 2,534,723
Republican State Leadership Committee	\$ 1,447,187
NJ United	\$ 1,411,073
Better Education for NJ Kids Inc.	\$ 1,002,653
Americans for Prosperity	\$ 900,000
Total	\$79,756,652

*Groups set up primarily to elect southern NJ candidates.

SPENDING TRENDS

Media spending in 2021 was twice the total of 2019. One reason is that both houses were running in 2021. Only state Assembly seats were up in 2019 along with one state Senate seat in a special election.

As a category, media spending was the largest single share of spending- 42 percent. Other major expenses were contributions to other candidates or committees (\$14.1 million, 24 percent) and transfers of funds to future elections (\$10.9 million, 18 percent).

Table 29 Total Spending by Category 2021 Legislative General Election		
Category	Amount	Percent
Media	\$24,724,228	42%
Contributions- Political	\$14,082,142	24%
Transfer To Next Election	\$10,895,343	18%
Administration	\$ 3,001,170	5%
Fundraising	\$ 2,181,509	4%
Consulting	\$ 1,827,465	3%
Research And Polling	\$ 764,918	1%
Get-out-the-vote (GOTV)	\$ 713,888	1%
Contributions- Charitable	\$ 412,774	1%
Compliance	\$ 309,281	1%
Loan Reimbursement	\$ 120,388	0.2%
Multiple Purposes	\$ 79,567	0.1%
Refund	\$ 21,053	0.04%
Miscellaneous (Expense Not Identified)	\$ 7,956	0.01%
Total	\$59,141,684	100%

SPENDING TRENDS

While media spending totaled nearly \$25 million, the 42 percent share was lower than the 45 percent average since 2001. The largest share of 56 percent occurred in 2001.

Year	Mass Media Spending	Percent of All Spending
2001	\$ 15,894,343	56%
2003	\$ 22,763,046	54%
2005	\$ 11,641,252	55%
2007	\$ 22,284,576	53%
2009	\$ 6,054,152	35%
2011	\$ 14,426,075	33%
2013	\$ 21,607,970	41%
2015	\$ 12,500,784	37%
2017	\$ 34,921,646	49%
2019	\$ 12,456,761	40%
2021	\$ 24,724,228	42%
	Average	45%

SPENDING TRENDS

Legislators spent more dollars on media than independent groups- \$14.5 million versus \$10.2 million. On a percentage basis, independent groups depended more heavily on media outlays- 75 percent versus 32 percent.

Table 31
All Spending Categories- Legislative Candidates and
Independent Groups (Sorted by Combined Totals)

Category	Candidates	Percent	Independent Groups	Percent	Combined	Percent
Media	\$14,510,816	32%	\$10,213,412	75%	\$24,724,228	42%
Contributions-Political	\$11,257,142	25%	\$ 2,825,000	21%	\$14,082,142	24%
Transfer To Next Election	\$10,895,343	24%			\$10,895,343	18%
Administration	\$ 2,477,209	5%	\$ 523,961	4%	\$ 3,001,170	5%
Fundraising	\$ 2,134,990	5%	\$ 46,520	0.3%	\$ 2,181,509	4%
Consulting	\$ 1,775,447	4%	\$ 52,019	0.4%	\$ 1,827,465	3%
Research And Polling	\$ 764,918	2%			\$ 764,918	1%
Get-Out-The-Vote (GOTV)	\$ 713,888	2%			\$ 713,888	1%
Contributions-Charitable	\$ 412,774	1%			\$ 412,774	1%
Compliance	\$ 303,350	1%	\$ 5,931	0.04%	\$ 309,281	1%
Loan Reimbursement	\$ 120,388	0.3%			\$ 120,388	0.2%
Multiple Purposes	\$ 79,567	0.2%			\$ 79,567	0.1%
Refund	\$ 21,053	0.05%			\$ 21,053	0.04%
Miscellaneous (Expense Not Identified)	\$ 7,956	0.02%			\$ 7,956	0.01%
Grand Total	\$45,474,841	100%	\$13,666,842	100%	\$59,141,684	100%

SPENDING TRENDS

Direct mail, a mainstay of legislative campaigns, totaled \$5.2 million combined. Candidates devoted a third of their spending on this media type while independent groups budgeted just 10 percent.

Table 32
Media Spending- Legislative Candidates and Independent Groups
(Sorted by Combined Totals)

Category	Candidates	Percent	Independent Groups	Percent	Combined	Percent
Mail	\$ 4,139,793	29%	\$ 1,060,753	10%	\$ 5,200,546	21%
Media- Mixed	\$ 748,946	5%	\$ 3,642,401	36%	\$ 4,391,347	18%
Media- TV- Type Unidentified			\$ 3,193,000	31%	\$ 3,193,000	13%
Media- Unspecified	\$ 2,499,208	17%	\$ 368,900	4%	\$ 2,868,108	12%
Media- Cable TV	\$ 2,436,679	17%	\$ 6,666	0.1%	\$ 2,443,345	10%
Media- Production	\$ 1,652,004	11%	\$ 497,805	5%	\$ 2,149,809	9%
Media- Internet	\$ 1,127,320	8%	\$ 716,509	7%	\$ 1,843,830	7%
Media- Network TV	\$ 535,682	4%	\$ 603,333	6%	\$ 1,139,015	5%
Media- Newspapers and Other Print	\$ 511,216	4%	\$ 11,468	0.1%	\$ 522,684	2%
Media- Billboards	\$ 361,749	2%			\$ 361,749	1%
Media- Radio	\$ 275,251	2%	\$ 62,577	0.6%	\$ 337,827	1%
Media- Robocalls	\$ 222,018	2%			\$ 222,018	1%
Media- Consulting			\$ 50,000	0.5%	\$ 50,000	0.2%
Media- Miscellaneous	\$ 950	0.01%			\$ 950	0.004%
Grand Total	\$14,510,816	100%	\$10,213,412	100%	\$24,724,228	100%

The combined cost of television outlays ranges from \$6.8 million of known TV spending to an estimated high of \$12.2 million when adjusting for the fact that unspecified and mixed media include television time purchases.

Table 33
Known Television Spending in 2021

Television Spending	Combined Total	Percent of Total Media Spending
Media- TV- Type Unidentified	\$ 3,193,000	
Media- Cable TV	\$ 2,443,345	
Media- Network TV	\$ 1,139,015	
Total- Known TV Expenses (2021)	\$ 6,775,360	27%
High (2017)	\$20,347,787	50%
Low (2009)	\$ 686,195	11%

SPENDING TRENDS

Table 34 Estimated Television Spending in 2021		
Estimated Television Spending	Amount	Percent of Total Media Spending
Known TV Spending	\$ 6,775,360	
75 % of Media- Unspecified plus Media- Mixed	\$ 5,444,591	
Total Estimated TV (2021)	\$12,219,951	49%
Previous High (2017)	\$20,347,787	58%
Previous Low (2009)	\$ 2,135,354	35%

The following chart lists non-television media spending for 2021 and shows how it ranks compared to similar spending in previous legislative elections dating back to 2001.

Table 35 Major Non-TV Media Spending		
Category	Amount	Rank Since 2001 (Ten Elections)
Direct Mail	\$5,200,546	6th
Digital	\$1,843,830	2nd
Radio	\$ 337,827	7th
Billboards	\$ 361,749	4th
Robocalls	\$ 222,018	2nd

Legislative candidates spent nearly \$25 million of their total spending- 42 percent- either on political contributions to other candidates or party committees, or transfers to the general election.

It is a continuing reminder that most incumbents are comfortable sharing or saving their funds because they run for reelection in relatively safe districts and face little risk of defeat.

Table 36 Contributions to Other Candidates and Committees and Transfers to Future Campaigns		
Category	Amount	Rank Since 2001
Political Contributions	\$14,082,142	3rd
Transfer to Next Election	\$10,895,343	1st
Combined Total (2021)	\$24,977,485	42%
High (2013)	\$25,177,239	43%
Low (2005)	\$ 5,001,171	24%

SPENDING TRENDS

Among other non-media spending, the cost of administration and fundraising each ranked as the second highest since 2001.

Category	Amount	Rank Since 2001
Administration	\$3,001,170	2nd
Fundraising	\$2,181,509	2nd
Consulting	\$1,827,465	4th
Research And Polling	\$ 764,918	8th
Get-Out-The-Vote (GOTV)	\$ 713,888	5th
Contributions- Charitable	\$ 412,774	5th

RECOMMENDATIONS

A new state statute (P.L. 2023 Chapter 30) signed by Governor Phil Murphy on April 3, 2023 contained some long-needed changes to New Jersey's campaign finance laws.

One of the most important was to statutorily require more disclosure from special interest groups that spend unlimited sums of money independently on elections.

The new law largely achieves this result.

Prior to this law, except in one limited circumstance,³ New Jersey never required independent groups to reveal the names of their contributors. They were required only to disclose expenses that were clearly being used to elect or defeat a candidate or a ballot question.

Independent expenditure groups must now disclose contributions above \$7,500 as well as all expenses. For a general election, they must do so 29 days and 11 days before an election, and 20 days after. Their reports must disclose all campaign finance activity beginning January 1 of the election year unless pre-general election activity was disclosed in a primary election report.

The law applies to 527 political organizations, 501(c) 4 social welfare non-profits that can spend up to half their funds on elections, and 501(c) 6 non-profits that promote business interests, including chambers of commerce, trade associations and real estate boards.

A previous bill intended to provide similar disclosure was struck down by a federal judge due to constitutional concerns. ELEC worked with sponsors of the current law to avoid such an outcome. So far, there has been no legal challenge of provisions requiring disclosure by independent groups.

While expanded disclosure is welcome, it is not sufficient. The new law, which in bill form was entitled "The Elections Transparency Act," exempted independent expenditure groups from having to quickly disclose contributions and expenditures that occur within the last 13 days before an election.

Under the old law, their significant last-minute expenditures were publicly disclosed.

All other committees now must, within 72 hours, file disclosure reports with ELEC of any such activity above \$200 within 13 and eight days before an election. During the final seven days, they must file ELEC reports within 24 hours of receiving a donation or making an expenditure above \$200.

The old law required disclosure of transactions of more than \$1,900 within 48 hours during the final 13 days before an election.

³ Candidates for governor who want to receive public funding must file reports listing the contributions and expenses of issue advocacy groups that promote them in the four years before they become an official candidate.

RECOMMENDATIONS

To broaden disclosure and put all election spenders on even footing, it is recommended that the Legislature amend the law to include disclosure of last-minute campaign finance for independent expenditure committees.

It is recommended that the contribution disclosure threshold for independent spenders be lowered from \$7,500 to \$5,000, which is the donor disclosure threshold for 501(c) 4 reports filed with the Internal Revenue Service.

Legislators also should require disclosure of contributions above \$5,000 within the final 13 days of the campaign subject to the same turnaround times. In addition, independent expenditure groups should be required to disclose all expenditures above \$200 within this period.

Table 38 Reporting of Last Minute Contributions and Expenditures		
Requirements	Old Law	New Law
Disclosure Threshold	Above \$1,900	Above \$200
Reporting period- Days before election	13	13 to 8 days/ 7 days
Transaction should be reported to ELEC within:	48 hours	72 hours/ 24 hours
Last minute reporting must be done by:	All committees	All but independent expenditure committees

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