

2007 CLEAN ELECTIONS PLAIN LANGUAGE OUTLINE

INTRODUCTION

- ⇒ THE REVISED NJ FAIR AND CLEAN ELECTIONS PILOT PROJECT ESTABLISHES AN EXPERIMENTAL PROGRAM FOR THE PUBLIC FINANCING OF SENATE AND GENERAL ASSEMBLY CANDIDATES IN THE 2007 GENERAL ELECTION IN THREE SELECTED LEGISLATIVE DISTRICTS (ONE OF WHICH IS OF SPLIT PARTY REPRESENTATION)
- ⇒ A CANDIDATE MUST BE CERTIFIED BY ELEC IN ORDER TO RECEIVE PUBLIC DOLLARS AND MAY NOT RECEIVE ANY OTHER FUNDING EXCEPT SEED MONEY AND QUALIFYING CONTRIBUTIONS
- ⇒ THE QUALIFICATION PERIOD FOR CERTIFICATION RUNS FROM APRIL 23RD TO SEPTEMBER 30TH
- ⇒ DURING THAT PERIOD, A CANDIDATE MAY BEGIN BY ACCEPTING FROM INDIVIDUALS REGISTERED TO VOTE IN THE STATE SEED MONEY CONTRIBUTIONS OF \$500 OR LESS UP TO A MAXIMUM AMOUNT OF \$10K

- A CANDIDATE MAY USE PREVIOUSLY RAISED AND REPORTED CONTRIBUTIONS OF \$500 OR LESS FROM NJ REGISTERED VOTERS FOR THIS PURPOSE
- ALL SEED MONEY CONTRIBUTORS MUST BE DISCLOSED BY NAME AND ADDRESS WITH OCCUPATION AND EMPLOYER INFORMATION FOR THOSE GIVING CASH OR OVER \$300
- DE MINIMIS, IN-KIND CONTRIBUTIONS OF SEED MONEY WORTH \$200 OR LESS ARE PERMITTED AND NOT COUNTED TOWARD THE \$10K MAXIMUM

⇒ QUALIFYING CONTRIBUTIONS ARE \$10 CONTRIBUTIONS THAT MUST BE RAISED DURING THE QUALIFYING PERIOD AND MUST NOT BE SPENT UNTIL SUBMITTED FOR CERTIFICATION

- THESE CONTRIBUTIONS MAY ONLY COME FROM REGISTERED VOTERS WITHIN A CANDIDATE'S LEGISLATIVE DISTRICT
- THE CONTRIBUTOR'S NAME AND ADDRESS MUST BE DISCLOSED

⇒ SEED MONEY AND QUALIFYING CONTRIBUTIONS MUST BE IN THE FORM OF CASH OR A CHECK, MONEY ORDER, ELECTRONIC CHECK, DEBIT CARD, OR CREDIT CARD PAYABLE TO ONE OR MORE CANDIDATES

CERTIFICATION AND RESCUE MONEY

⇒ A CANDIDATE BECOMES CERTIFIED BY RECEIVING \$4K IN QUALIFYING CONTRIBUTIONS FROM 400 CONTRIBUTORS BY SEPTEMBER 30

⇒ ONCE A CANDIDATE RAISES \$8K IN QUALIFYING CONTRIBUTIONS FROM 800 CONTRIBUTORS , HE OR SHE MAY NOT RAISE OR USE ANY ADDITIONAL SEED MONEY

⇒ NO GENERAL ASSEMBLY CANDIDATE MAY RECEIVE PUBLIC MONEY IF HIS OR HER RUNNING MATE IS NOT CERTIFIED

⇒ AN OPPOSED CERTIFIED CANDIDATE RECEIVES AN INITIAL GRANT OF \$50K AFTER RAISING 400 QUALIFYING CONTRIBUTIONS

- AN UNOPPOSED CERTIFIED CANDIDATE RECEIVES AN INITIAL GRANT OF \$25K AFTER RAISING THE SAME NUMBER OF CONTRIBUTIONS

- THE OVERALL FUNDS DISTRIBUTED PROPORTIONATELY EACH WEEK THEREAFTER MAY NOT BE GREATER THAN A MAXIMUM GRANT OF \$100K OR A MAXIMUM GRANT CALCULATED IN THE SPLIT PARTY DISTRICT FROM THE AVERAGE SPENT IN THE TWO PREVIOUS ELECTIONS
- THE MAXIMUM GRANT IS OBTAINED AFTER RAISING 800 QUALIFYING CONTRIBUTIONS
- ALTERNATIVE PARTY CANDIDATES RECEIVE HALF OF THE INITIAL GRANT AND A MAXIMUM GRANT CAPPED AT \$50K IN ALL 3 DISTRICTS

⇒ AN ADDITIONAL AMOUNT OF UP TO \$100K IN “RESCUE MONEY” IS PROVIDED TO EACH OF THE CERTIFIED CANDIDATES FOR AGGREGATE CONTRIBUTIONS OVER \$1K EACH NONCERTIFIED OPPONENT RECEIVES IN EXCESS OF HIS OR HER MAXIMUM GRANT

- ALTERNATIVE PARTY CANDIDATES RECEIVE HALF OF THIS AMOUNT FOR AGGREGATE CONTRIBUTIONS OVER \$500

⇒ A THIRD AMOUNT OF UP TO \$100K IN “RESCUE MONEY” IS PROVIDED TO EACH OF THE CERTIFIED CANDIDATES FOR ANY INDEPENDENT EXPENDITURES OVER \$1K THAT ARE MADE ON BEHALF OF THEIR OPPONENTS

- ALTERNATIVE PARTY CANDIDATES RECEIVE HALF OF THIS AMOUNT WHEN SUCH EXPENDITURES EXCEED \$500

⇒ CANDIDATES CERTIFIED BY AUGUST 17TH WILL HAVE NEXT TO THEIR NAMES ON THE GENERAL ELECTION BALLOT THE SLOGAN “CLEAN ELECTIONS CANDIDATE”

⇒ THE LAW HAS STRINGENT POLITICAL AND APPROVAL ID REQUIREMENTS FOR CAMPAIGN COMMUNICATIONS

- A CERTIFIED CANDIDATE MAY INCLUDE IN ANY COMMUNICATION A STATEMENT THAT HE OR SHE IS A CERTIFIED CANDIDATE

WITHDRAWAL

⇒ A CERTIFIED CANDIDATE MAY WITHDRAW FROM THE PROGRAM AT ANY TIME PRIOR TO THE ELECTION IF A NONCERTIFIED OPPONENT SPENDS MORE THAN DOUBLE THE MAXIMUM AMOUNT ALLOWED TO BE GRANTED OR THE CERTIFIED CANDIDATE NO LONGER SEEKS ELECTION

- THE CERTIFIED CANDIDATE MUST RETURN ALL REMAINING SEED MONEY, QUALIFYING CONTRIBUTIONS, AND PUBLIC MONEY

⇒ A CERTIFIED CANDIDATE MAY ALSO WITHDRAW IF THE OPPONENT IS A CERTIFIED CANDIDATE BUT MUST THEN RETURN ALL THE PUBLIC MONEY RECEIVED AS WELL AS ALL REMAINING SEED MONEY AND QUALIFYING CONTRIBUTIONS

- MOREOVER, SUCH A WITHDRAWING CANDIDATE MUST RECEIVE PERMISSION FROM A COMMITTEE APPOINTED BY LEGISLATIVE LEADERSHIP

⇒ IF A CANDIDATE INTENDING TO BE CERTIFIED IS NOT ABLE TO RAISE \$4K BY THE END OF THE QUALIFYING PERIOD, HE OR SHE MAY RETAIN SEED MONEY AND QUALIFYING CONTRIBUTIONS

- IF SUCH A CANDIDATE DROPS OUT EARLIER, SEED MONEY MAY BE RETAINED BUT QUALIFYING CONTRIBUTIONS MUST BE RETURNED

⇒ CANDIDATE CERTIFICATION DECISIONS BY ELEC MAY BE APPEALED TO THE APPELLATE DIVISION OF THE SUPERIOR COURT

- IF CERTIFICATION IS REVOKED AS A RESULT OF SUCH AN APPEAL, UNSPENT PUBLIC MONEY MUST BE RETURNED

ELEC'S ROLE

⇒ ELEC MAY ISSUE FINES FOR VARIOUS CIVIL VIOLATIONS OF THE LAW

- THERE ARE ALSO CRIMINAL PENALTIES FOR INTENTIONAL VIOLATIONS SUCH AS CONCEALING A CONTRIBUTOR OR FILING A FALSE REPORT
- A CERTIFIED CANDIDATE WHO KNOWINGLY VIOLATES THE LAW IS SUBJECT TO TERMINATION OF CANDIDACY OR REMOVAL FROM OFFICE

⇒ ELEC WILL:

- INSURE VOTER ACCESS TO INFORMATION THROUGH ITS WEBSITE AND BY RESPONDING TO QUESTIONS
- SELECT AND PAY A VENDOR TO PUBLICIZE THE PROGRAM
- PROVIDE A LINK ON ITS WEBSITE TO CANDIDATE WEBSITES FOR THE PURPOSE OF RAISING SEED MONEY AND QUALIFYING CONTRIBUTIONS

- PREPARE FOR THE WEBSITE A VOTER'S GUIDE THAT IDENTIFIES WHICH CANDIDATES ARE CERTIFIED, INTEND TO BECOME CERTIFIED, OR ARE NONCERTIFIED
- ADMINISTER 250-WORD CANDIDATE STATEMENTS THAT WILL APPEAR ON THE SAMPLE BALLOT
- AND REVIEW SPONSOR SELECTION AND ARRANGEMENTS FOR TWO CANDIDATE DEBATES
 - CERTIFIED CANDIDATES ARE REQUIRED TO DEBATE WHILE NONCERTIFIED ONES ARE PERMITTED TO DEBATE
 - THE PENALTY FOR NONPARTICIPATION FOR A CERTIFIED CANDIDATE IS THE RETURN OF PUBLIC MONEY RECEIVED
 - CERTIFIED CANDIDATES MUST FILE WITH ELEC THEIR PLANS PROVIDING DETAILS ABOUT SPONSORS, DEBATE FORMATS, ARRANGEMENTS, AND COVERAGE

FUNDING

⇒ THE FAIR AND CLEAN ELECTIONS FUND WHICH SUPPLIES THE MONEY FOR THE PROGRAM CONSISTS OF SUMS COLLECTED FROM THE FOLLOWING SOURCES:

- MONEY APPROPRIATED
- VOLUNTARY DONATIONS
- EARNINGS FROM THE INVESTMENT OF THE FUND
- FINES COLLECTED BY ELEC UNDER THE PROGRAM
- MONEY RETURNED BY CANDIDATES WHO WITHDRAW FROM BEING CERTIFIED OR FOR OTHER REASONS AS SPECIFIED IN THE ACT

⇒ THE PILOT PROJECT IS BUDGETED AT \$7.7M

- \$6.8M FOR CANDIDATE FUNDING
- \$250K FOR ADMINISTRATION
- \$600K FOR PUBLICITY
- \$75K FOR CANDIDATE STATEMENTS ON THE SAMPLE BALLOT

2 APR 07