

# ELEC-Tronic

AN ELECTION LAW ENFORCEMENT COMMISSION NEWSLETTER

"Furthering the Interests of an Informed Citizenry"

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## Comments from the Chair Jerry Fitzgerald English

Last November, in a press conference held at the Commission, the new local contributor database was unveiled.

For the first time in the history of the Commission, citizens could obtain detailed contributor information concerning municipal candidates.

At the time, it was stated that the overall goal of the initiative would be to complete the database by including May municipal and June runoff activity, school board candidate activity, and the financial activity of municipal party committees.

This data would supplement that already available involving gubernatorial and legislative candidates, the "big six" committees, and the county party committees.

With the recent announcement that the public can now access contributor data involving municipal party committees the circle is complete.

The goal of a complete ELEC database has been accomplished.

With the addition of the municipal party contributions, almost \$40 million in donations to local candidates and committees in 2009 is now readily retrievable.

New Jersey is now one of the few states in the nation to provide online access to municipal donations.

Before the local donor initiative was launched, members of the public, media, candidates, and others could view those donations only by printing or electronically viewing actual reports, which can be time consuming.

Providing the public with expanded access to contribution data for local candidates and committees moves ELEC closer toward fulfilling its central mission: to maximize disclosure of campaign activity involving State, county, and municipal campaigns within New Jersey.

The municipal contribution data includes 5,804 donations totaling \$3.99 million to close to 200 Republican and Democratic party committees throughout the State.

Without question the Commission is proud of this accomplishment and I would be remiss if I did not point out that this achievement was only made possible through the dedication and hard work of our Data Entry and Information Technology staff.

Certainly, Brenda Brickhouse, Data Entry Supervisor and Darlene Kozlowski, Assistant Data Entry Supervisor, were instrumental in ensuring the timely completion of this project.

Finally, staff can help with searches or answer other questions. To reach staff call toll-free hotline at 1-888-313-3532 or 609-292-8700.

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## Executive Director's Thoughts Jeff Brindle

How long before government and politics is conducted solely through new media?

When will direct mail, 30-second spots, and retail politics become obsolete?

How long until representative democracy morphs into pure democracy?

The answers may not be far off.

Visible Vote, a new computer application for smartphones, allows citizens to vote on issues before Congress and then measure their positions against the votes of their representatives.

Two individuals from Chicago came up with the idea. According to Kiki Ryan in Politico, anyone with "an iPhone, BlackBerry or Android can take advantage of the workings of democracy in just a few seconds."

Thirty United States Senators and Representatives have signed on to Visible Vote, enabling them to have direct contact with their constituents.

All, or most, members of Congress will surely succumb to the pressure to sign up for the service. Before long Visible Vote will revolutionize the life of state legislators as well.

Visible Vote is the latest incantation to be cast over a public longing to be in touch with members of Congress — and to have them respond to their needs.

This software joins with the telephone (almost obsolete), fax machines, email, facebook, and twitter, in allowing constituents to communicate with public officials.

It also is another tool lobbyists can use to mobilize the public in grassroots efforts to influence public policy.

Visible Vote represents another step in using new media to engage the citizenry in a perpetual ongoing town meeting. But it is not the only use of new media that bears mentioning.

John Zogby, President and CEO of the polling firm Zogby International, has been experimenting with using the Internet to do interactive polling for over a decade.

In Campaigns and Elections, Zogby writes "we believe the future of polling lies with the Internet and establishing online panels both large and diverse enough to give reliable samples and results."

New media is also gaining influence in the world of campaigns. Internet targeting is so advanced that it can mobilize voters by communicating precisely the right message to the right group of voters.

Known as attitudinal targeting, online technology permits candidates to reach voters that historically have been hard to reach with a message that directly appeals to them.

In this impassioned political season, with the very future of public policy hanging in the balance, it's hard to quarrel with the importance of the public being engaged in the debate.

The fact that over the last few years there has been activism on both sides of the ideological spectrum demonstrates that democracy still thrives.

And new media certainly has had something to do with this.

But as politics and government is increasingly at the mercy of new media, it's important to breathe deeply, step back, and think about the system of government our founding fathers established.

The framers established a republic, or representative democracy, not a pure democracy.

They organized government to protect against the tyranny of the majority, or in other words, to provide protection for the minority, which at that time may have been property owners, but in modern times constitutes any group holding minority opinions or minority needs.

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## Executive Director's Thoughts Jeff Brindle

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They wanted Congress to be deliberative and not automatically swayed by the passions of the people. Moreover, the framers never envisioned a scenario where attitudinal targeting could use individually tailored messages to manipulate voters.

The new media is opening up avenues of possibilities for governing, lobbying, and campaigning. It is driving ordinary citizens to get involved. And this is to the good.

However, along with the possibilities it is important to be mindful of the pitfalls.

As part of this new media driven civic engagement, careful thought must be given to guarding against the arrival of a time when public policy is made, not in a deliberative way, but in a reactive way.

Representatives should be responsive but they should also heed their responsibility to make decisions that are in the best interest of the public; decisions that may not always square with the majority view.

Finally, because of the inevitable dominance of the new media over governing, campaigning, and lobbying it is important to begin considering how, if at all, it should be regulated.

Because transparency will always be in the public interest, this question is an important one for regulators to consider, particularly those whose mission is disclosure.

**The above article by Jeff Brindle appeared in NewJerseyNewsroom.com on September 16, 2010**

## Enhance Transparency by Changing N.J. PAC Requirements

It has been said that while reforms are often necessary and to the benefit of the public they sometimes have unintended consequences.

The Election Law Enforcement Commission's (ELEC) recent analysis of special interest PAC activity underscores this point. It showed that the level of special interest PAC activity involving New Jersey elections returned to late 1980's, early 1990's levels.

What's behind this? White Paper analyses published by the Commission over twenty years suggest that reforms enacted first in 1993 and again in 2005 have something to do with it.

From 1985 to 1989, for instance, a period of political party weakness, financial activity in legislative elections by PACs ranged from 18 percent to 20 percent.

There were a number of factors that contributed to the decline of once powerful party organizations, particularly at the county level.

Among the factors were: court decisions in the 1960's that apportioned legislative districts on a one-person-one-vote basis rather than county lines; increased suburbanization, decreasing voter turnout; and the Open Primary Law enacted in 1981.

It was then that political action committees became more influential in New Jersey elections and political party organizations simultaneously grew weaker, in some ways becoming anemic.

This growth in PAC activity was short lived, however. A U.S. Supreme Court decision in 1989, Eu vs. San Francisco Democratic Central Committee, began the process of rehabilitating political parties in New Jersey.

The Supreme Court, in Eu, declared California's Open Primary Law, similar to New Jersey's in prohibiting parties from any involvement in primary elections, to be unconstitutional.

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## Enhance Transparency by Changing N.J. PAC Requirements

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In New Jersey, though, what really caused a change in the electoral dynamic were the comprehensive reforms enacted in 1993.

While numerous reforms were enacted as part of the 1993 Reform Package, most instrumental in changing the electoral landscape was the introduction of contribution limits that pertained to non-gubernatorial candidates, political parties, PACs, and other committees.

In enacting the reforms, the Legislature designed a contribution limit scheme that advantaged the political party committees over all others, including the PACs.

This single reform revived the political party system in New Jersey, once again making the county party organizations extremely powerful. State parties were empowered as well, along with legislative leadership committees that were formally established under the new law.

In a study by the Commission in 1997, it was pointed out that "there is a repartyization process underway in New Jersey and that an integral part of this process is the greatly strengthened role of the county party organizations in the campaigns of their candidates."

To be sure, as political parties were strengthened, PACs receded into the background, often constituting as little as nine percent of legislative contributions.

But as shown in the recently released analysis of special interest PAC activity in the State, the pattern is changing once again.

Pay-to-Play reform enacted in 2005 is in part, at least, responsible for this change, which has resulted in a growth in PAC activity that exceeds even the levels reached in 1989.

Though the Pay-to-Play laws have had the desired affect of reducing overall financial activity in elections in New Jersey, they have led to an uptick

in PAC activity, accounting for 22 percent of contributions to Assembly candidates in 2009.

Moreover, Pay-to-Play reforms have contributed to an increase in the total number of PACs operating in New Jersey. Many of the newly formed PACs which have been established following the enactment of Pay-to-Play have seemingly been created as appendages of the political party committees.

The danger in this development is that it hampers the public's ability to follow the money, thus hurting transparency, and makes the contribution limits and the Pay-to-Play Law more susceptible to being circumvented.

ELEC has proposed a remedy for this developing situation. Under current law, two individuals who plan to spend \$4,900 in New Jersey elections on an ongoing basis may register as a PAC.

This is too easy. One solution is to do as the Federal Election Commission does; increase the number of individuals required to form a PAC to nine. This would allow for truly serious PACs to form.

The Commission recognizes that under First Amendment speech and associational rights, citizens have a right to be involved in politics and to join together in forming PACs.

However, the ease by which PACs are formed under current New Jersey law should not be used to undermine disclosure or to get-around contribution limits and Pay-to-Play restrictions. While it has been noted that at times well meaning and worthwhile reforms result in unintended consequences, this proposal, as it stands, is one that would suit the public well, enhancing transparency and making it more difficult for those who would do so to game the system.

**The above article by Jeff Brindle appeared in  
NewJerseyNewsroom.com on August 25, 2010.**

## May Municipal Runoff

Candidates for June runoff and May municipal elections jointly raised \$16.9 million statewide and spent \$14 million, according to reports filed with the New Jersey Election Law Enforcement Commission (ELEC).

This is the first year that ELEC has tracked candidate spending in municipal elections. The analysis provides the public with a useful snapshot of municipal campaign activity throughout New Jersey.

	Statewide Receipts	Statewide Expenditures
May Municipal Elections	\$ 14,885,589	\$ 12,252,253
June Runoff Elections	\$ 2,000,614	\$ 1,808,383
Grand Totals	\$ 16,886,203	\$ 14,060,636

Total receipts topped \$100,000 in ten municipalities.

With the mayor's seat and council positions up for reelection, campaigns in Newark, the state's largest city, drew the heaviest funding. A ballot question involving a proposed sale of the municipal water system boosted spending in Trenton, the state capitol.

Municipality	Total Receipts	Total Expenditures
Newark City	\$ 10,261,242	\$ 7,998,930
Trenton City	\$ 1,863,164	\$ 1,683,825
Paterson City	\$ 1,412,881	\$ 1,362,340
Bayonne City	\$ 998,425	\$ 811,427
Union City	\$ 619,203	\$ 619,047
West Orange Town	\$ 295,484	\$ 283,814
Long Branch City	\$ 291,058	\$ 282,198
Ocean City	\$ 219,660	\$ 212,275
Clifton City	\$ 177,923	\$ 168,067
Jackson Township	\$ 123,755	\$ 116,959
Manchester Township	\$ 100,896	\$ 78,772

Among fundraising committees, a joint committee headed by Newark Mayor Cory Booker topped all committees. Below is a list of the top five municipal fundraisers statewide during June runoff and May municipal elections:

Municipality	Candidate/Committee	Total Receipts	Total Expenditures
Newark	Booker Team	\$7,697,679	\$ 6,078,010
Paterson	Torres, Jose	\$1,089,192	\$ 1,084,155
Trenton City	Committee For Trenton Yes	\$1,047,567	\$ 1,047,467
Bayonne City	Smith, Mark A	\$ 603,594	\$ 435,519
Newark City	Ramos, Anibal	\$ 527,546	\$ 246,438

Scanned paper reports of candidate fundraising committees are available to review on ELEC's website ([www.elec.state.nj.us](http://www.elec.state.nj.us)). Individual donations made to local committees in 2010 soon will be added to ELEC's master database, which allows easy searching and sorting. ELEC staff can help with searches or answer other questions. To reach them, call the toll-free hotline at 1-888-313-3532 (within New Jersey only) or by dialing 609-292-8700.

The analysis contained in this press release was based on reports filed by 5 p.m. on August 23, 2010. The numbers are based on reports that have yet to be verified by ELEC and should be considered preliminary. Interested parties are encouraged to review individual reports on ELEC's website.

## Elbia Zeppetelli “Profile” Administrative Assistant

Elbia Zeppetelli, Administrative Assistant for the New Jersey Election Law Enforcement Commission (ELEC) is one of the “can do” people at the disclosure agency. Creative, organized and never hesitant to take the initiative, she is a major part of ELEC’s management team.

“I just think I’m a responsible person. If something is assigned to me, I look for ways to do it the best I can,” said Zeppetelli, who is always cordial despite her efficient habits. “I just think it’s my nature.”

When Zeppetelli moved from Guatemala to New York in 1974, she spoke no English. “I used to dream in Spanish” said Zeppetelli, “now I dream in English.” She came to the U.S. on her birthday, April 19 and lived in New York for 12 years prior to moving to New Jersey. Zeppetelli said she is the middle child of seven siblings. Being from a large family, she had to become very independent at an early age. That helped prepare her for her current position, which often requires her to work independently.

Zeppetelli has a certification as a Paralegal. She attended Omega and Taylor Business Institute and Herbert Lehman College in New York.

Prior to joining ELEC in 1994, Zeppetelli worked at a law office, a biotech firm, a mass transit company, a banking institution, and in retail. Her broad work experience gave her a strong and diverse set of administrative skills.

At ELEC, Zeppetelli with a determination and commitment to excellence provides a broad range of administrative support to both the Executive Director and Deputy Executive Director.

Two years into her current position, Zeppetelli, in collaboration with ELEC’s computer staff was asked to help develop ELEC’s first website. She met with various people and researched websites in other states. In January, 1997, the first ELEC website went live.

Recognizing the importance of the digital era, Zeppetelli has scanned many key agency documents such as “White Papers” or issue papers, and annual reports, for archival purposes and inclusion on the website. Many ELEC documents,

including annual reports and monthly newsletters, also have benefited from her design skills. “It is true that books are judged by their covers,” she said. “So it has been very fulfilling for me to be able to use my desktop publishing abilities in the design and presentation of Commission publications.”

“If it looks appealing to the eye, people are going to want to read it,” she added.

Zeppetelli recently was assigned to lead a Secretarial Support Group that assists the entire Commission, particularly, the Legal Division.

She has been married to husband Joseph for 27 years and resides in Burlington County. She has a daughter and a son, and, as a mom, has enjoyed attending dance recitals, musical events, football, and, most recently, boxing matches.

Other pastimes include working in her garden and taking long walks along the beach and boardwalks. She said she enjoys watching the history channel and historical films, such as *Braveheart*, *Gladiator*, and *Kingdom of Heaven*.

## Retirement Announcement Evelyn Ford, Compliance Director

Evelyn Ford retired on October 1<sup>st</sup> from the Election Law Enforcement Commission. She served the Commission dutifully as Compliance Division Director for 25 years. During her years at the Commission, Evelyn Ford set a high standard of excellence and was a dedicated public servant committed to the highest ideals of public service.

Jerry Fitzgerald English, Chair, commented that Evelyn Ford personified “all that is good about public service. Through the years she has proven to be an exemplary public servant whose retirement is a loss to the Commission and the public.”

Jeff Brindle, Executive Director of the Commission, said that the loss of such an experienced, well respected employee as Evelyn Ford through retirement is truly significant. Having worked with Evelyn for so many years I know that she is a dedicated professional and a truly great person. She will be missed.

The Commission wishes to extend best wishes for a happy, healthy, and prosperous future.

## DATES TO REMEMBER

2010 Reporting Dates		
GENERAL ELECTION NOVEMBER 2, 2010	PERIOD COVERED	REPORT DUE DATE
29-day pre-election	6/26/10 – 10/1/10	October 4, 2010
11-day pre-election	10/2/10 – 10/19/10	October 22, 2010
20-day post-election	10/20/10 – 11/19/10	November 22, 2010
48 Hour Notice Reports start on 10/20/10 through 11/2/10		
PACs & CAMPAIGN QUARTERLY FILERS	PERIOD COVERED	REPORT DUE DATE
3 <sup>rd</sup> Quarter	7/1/10 – 9/30/10	October 15, 2010
4 <sup>th</sup> Quarter	10/1/10 – 12/31/10	January 18, 2011

Treasurer Training for Candidates and Committees	
Seminars are conducted at 10:00 a.m. at the Commission's offices at 28 West State Street, 8 <sup>th</sup> floor, in Trenton.	
Treasurer Training Seminars for Candidates and Joint Candidates Committees:	Treasurer Training Seminars for Political Party Committees and PACs:
Monday, September 13	Monday, September 27
Wednesday, September 29	Thursday, December 9

[Late and non-filing of reports are subject to civil penalties determined by the Commissioners](#)