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# ELEC-Tronic

**AN ELECTION LAW ENFORCEMENT COMMISSION NEWSLETTER**

"Furthering the Interests of an Informed Citizenry"

**Election Law Enforcement Commission, P.O. Box 185, Trenton, NJ 08625**  
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## Comments from the Chairman Ronald DeFilippis

Complying with often bewildering campaign finance law and accompanying regulations can be a daunting task.

Over time campaigns became more sophisticated. Spending increased and the campaign season grew longer.

An array of organizations, 527's, 501(c)'s and super PACs now clot the electoral horizon, joining political parties in supporting candidates.

These developments have changed campaigns. In so doing they have ushered in a period replete with reforms and court decisions.

So for many navigating the myriad of laws and regulations can be taxing, to say the least.

In order to assist candidates, campaign lawyers and treasurers in understanding and complying with New Jersey's Campaign Contributions and Expenditures Reporting Act, the Election Law Enforcement Commission provides those with legal standing the opportunity to request an advisory opinion.

In other words, Candidate Potts wants to know if it is permissible to use campaign funds to attend an issues seminar. Or, the Committee for the Best Government is not sure if it must file as a political committee.

In both instances the candidate and committee would be encouraged to request an advisory opinion because it is reasonable to believe that the candidate or committee may be subject to a provision under the Campaign Act.

So, what is the process for requesting an advisory opinion?

First of all, a person or committee must have standing to make a request. That being the case, the request must be in writing and contain the following information:

1. The name, mailing address and daytime phone number of the entity on whose behalf the opinion is being made;
2. A description of the correct filing status of the entity (if any);
3. A statement of all pertinent facts and contemplated activities that are subject to the inquiry;
4. A statement involving the question of law arising under the Act,
5. A statement of the result the entity seeks;
6. Requisite signatures; and,
7. A statement of whether or not the entity seeking the advisory opinion consents to a 30-day period for the issuance of the opinion.

By law, unless an extension of time is consented to by the entity requesting the opinion, the Commission is required to issue its opinion within ten days of the receipt of the request.

A request is considered received when all of the above requirements are met

For a more definitive explanation of how to request an advisory opinion and obtain a form, please see [www.elec.state.nj.us](http://www.elec.state.nj.us). Also, see 19:25-18.1 et al.

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## Executive Director's Thoughts Jeff Brindle

It's been said that the states are laboratories of democracy. Experiments in public policy occur in one state and, if successful, are adopted by other states or even by the federal government. One such experiment is brewing in California. The California Fair Campaign Practices Commission, which oversees campaign finance regulation, may allow texting of contributions.

Undoubtedly, this policy would make fundraising easier. On the other hand, it would make it more difficult to determine the source of funds, potentially hurting disclosure.

CTIA – The Wireless Association has asked both California and the Federal Election Commission whether contributions could be raised via text messages. While the FEC has put off the issue, at least for now, California regulators are moving forward.

Roman Porter, spokesperson for the California Commission recently told Politico "my hope is that . . . we can develop a model that other states see as useful," according to Politico reporter Michelle Quinn.

Texting contributions is the latest twist from new media that is changing the electoral landscape. It already is being used by relief organizations to help disaster victims. The American Red Cross has set up a specific number where people can provide a \$10 contribution by simply texting "redcross" to that number. At one point in January 2010, when the National Football League promoted the number, Red Cross was receiving \$500,000 an hour, according to a New York Times story entitled "A Deluge of Donations via Text Messages."

Regarding campaign fundraising, new media presents candidates with novel and potentially lucrative ways of raising money. Like various forms of online fundraising, text messaging lends itself to cultivating the fields of small donors. That's good.

Yet, while texted contributions may open the door to a new way of political participation, it represents another in a long line of challenges facing disclosure agencies.

As I mentioned in an earlier column on online fundraising, by discarding the traditional direct contribution arrangement between donor and candidate, accurate disclosure may be impaired. Especially in the final days of a campaign, incomplete or erroneous reporting may occur.

These issues are serious enough that they made the nation's major campaign finance regulator, Federal Election Commission, hesitate to approve texted contributions. When CITA-The Wireless Association asked the agency to issue an advisory opinion on this question, the FEC said no, at least initially.

According to Quinn, the Politico reporter, "the FEC said it was concerned that text contributions would make it more difficult to determine whether corporate funds were being used for political contributions or to keep anonymous donors from exceeding the \$50 reporting thresholds."

A spokesperson for the FEC told her the question could be revisited because the opinion was in response to a specific set of questions.

Despite the initial thumbs down reaction by the FEC, the California Commission seems poised to act. And who knows when ELEC will face a similar request?

There is no doubt that new media, as well as the Wild West atmosphere hovering over campaign finance law in general, is keeping regulators on their toes.

While we at the Commission will be interested to see how California goes about regulating texting, we are not going to sit around waiting. Texting of contributions is sure to present a challenge to disclosure at some point in New Jersey. Therefore, staff at the Commission already is looking at ways to insure that texted contribution activity gets the same light shined on it as all other forms of fundraising.

While the issues presented by texting are challenging, they are not necessarily insurmountable. ELEC already allows New Jersey candidates to collect contributions through credit card companies and PayPal. But transparency in the area of campaign financing is an essential ingredient in a democracy that is both responsive and vibrant. While new ways of raising money to encourage participation should be encouraged, it should also be free of any hint of secrecy or inaccuracy.

## Why Our Democracy Needs Disclosure

### [Campaign Legal Center](#)

(Excerpts - Reprinted with Permission)

#### **Q: Why is disclosure of election-related fundraising and spending important?**

A: Disclosure of money raised spent in elections has been the bedrock of our political system for many years, usually supported by all political parties. Voters deserve to know who is funding political communications in order to evaluate the full context of the message. Citizens need to know who has spent money to elect or defeat officials in order to hold those officeholders accountable and prevent corruption.

Justice Kennedy, in the only portion of last year's *Citizens United* opinion that had the support of eight of the nine Justices, noted the importance of disclosing the sources of campaign spending. He wrote that disclosure "provide[s] the electorate with information," makes sure "that voters are fully informed about the person or group who is speaking," and ensures people are "able to evaluate the arguments to which they are being subjected." [1]

Justice Kennedy explained further: "The First Amendment protects political speech, and disclosure permits citizens and shareholders to react to the speech of corporate entities in a proper way. The transparency enables the electorate to make informed decisions and give proper weight to different speakers and messages." [2] He also went on to say: "With the advent of the internet, prompt disclosure of expenditures can provide shareholders and citizens with the information needed to hold corporations and elected officials accountable for their positions and supporters. Shareholders can determine whether their corporation's political speech advances the corporation's interest in making profits, and citizens can see whether elected officials are 'in the pocket' of so-called moneyed interests." [3]

Justice Kennedy presumed that disclosure would serve as a check on potential misuse of independent expenditures, saying "[i]f elected officials succumb to improper influences from independent expenditures; if they surrender their best judgment; and if they put expediency before principle, then surely there is cause for concern." [4]

Justice Scalia also made a forceful defense of election-related disclosure last year in a concurring opinion in *Doe v. Reed*. In that case, which upheld disclosure requirements for petition signers for ballot measures, Justice Scalia wrote: "Requiring people to stand up in public for their political acts fosters civic courage, without which democracy is doomed." [5]

#### **Q: What do you mean when you say disclosure?**

A: Disclosure means shining a light on the money that is raised and spent to influence our elections. It should be clear who is paying for a TV advertisement or a piece of mail and where their money comes from. Already, candidates for federal office have to file reports detailing how much money they raised, where it came from and what they spent it on. When they run an ad on TV or on the radio, the candidate has to personally state that they approved the message in the ad. Tens of millions of dollars were spent in 2010 on ads paid for by groups that reveal nothing about their donors. Far more of this undisclosed spending is anticipated in 2012.

#### **Q: Why worry about disclosure? I thought most donations come from small donors.**

A: Even in 2008, when more individuals donated to campaigns than ever before, only 12% of the money in congressional candidates' coffers came from small donations from individuals. That figure represents only a fraction of the total money spent on federal elections. The floodgates that the Supreme Court opened in *Citizens United* allow unlimited corporate and union money to drown out the voices of individual donors like never before. And without robust disclosure laws, the powerful interests behind that money remain in the shadows. Some groups have admitted receiving donations of tens of millions of dollars from one source—and many other large donations to elect or defeat candidates through these "outside" groups are completely hidden.

#### **Q: Does disclosure really provide voters with useful information?**

A: Full disclosure of the money in politics provides voters with information that is critical to holding representatives accountable through elections. In order to make that accountability meaningful, voters need to know if their elected officials will answer to them or to corporations, unions and wealthy donors who pay for the advertisements that flood the airways. When special interest groups can spend large amounts of money while hidden in the shadows, it becomes easier for them to threaten political retribution to

lawmakers who don't vote their way. Stronger disclosure laws will make clear the role that special interests play in our elections and will ensure that voters have all of the facts when they go to the polls.

It is also important for voters to know who is paying for the ads bombarding them, because voters will find some sources more "trustworthy" than others. Members of the NRA or the Brady Campaign to Prevent Gun Violence, or any citizen, will have different views about the reliability of an ad if they know that a pro- or anti-gun group paid for it. Ads about cigarette taxes may be seen as more or less reliable if you know they were paid for by tobacco companies or anti-smoking groups.

**Q: I thought the Citizens United decision means corporations and labor unions can spend what they want on elections without disclosing where the money comes from.**

A: No—in fact, *Citizens United* said the opposite. Eight Justices agreed that organizations attempting to influence our elections should be required to disclose their spending and contributors, and agreed that disclosure should include the funder of communications that discuss candidates in the midst of an election, and not merely those that expressly advocate for a candidate's election or defeat.

**Q: What sort of secret spending is occurring?**

A: Although candidates and some political organizations have to disclose information about their contributors and spending, many groups that work to influence elections do not. Corporations, unions, and non-profits can spend millions of dollars to support or oppose a candidate and the public will never know where that money is coming from. The newest and most troubling vehicles for this secret money are the new organizations with deliberately nondescript names like "Crossroads GPS" and "Priorities USA." They accept unlimited amounts of money from business corporations, labor unions and the über-wealthy without ever disclosing their donors. The public has no way of knowing who really is spending money to influence their vote.

**Q: Does disclosure violate the First Amendment?**

A: Absolutely not. To the contrary, the Supreme Court has held that disclosure advances the public's First Amendment right to information. Disclosure empowers Americans to evaluate the people and organizations that are trying to influence their vote and to exercise that vote effectively.

**Q: Some say that disclosure stifles free speech—is that true?**

A: The Supreme Court has consistently upheld as constitutional candidate election-related disclosure laws, except where someone has shown specific evidence that disclosure of their name will result in *threats, harassment or reprisals*. As recently as *Citizens United*, the Court held that the challenged federal disclosure requirement did not "impose a chill on speech or expression." [\[6\]](#)

In the landmark 1976 case *Buckley v. Valeo*, the Supreme Court upheld blanket disclosure requirements and suggested that if contributors could give courts facts that show, for example, "specific evidence of past or present harassment," or a "pattern of threats or specific manifestations of public hostility," they might qualify for an exemption from disclosure requirements. [\[7\]](#) But the Court has granted those exemptions when the facts of a case show that a speaker has been threatened with bodily harm. For example, in separate Supreme Court cases, the *NAACP* and the *Socialist Workers Party* were exempted from disclosure requirements after proving to the courts that their members would be subject to serious threats and bodily harm. [\[8\]](#) The FEC has a similar procedure in place to exempt groups that can show that disclosure presents a personal risk.

**Q: What about a right to anonymous speech?**

A: There is no right to anonymous speech when an organization is trying to influence the outcome of a candidate's election. The Supreme Court has explicitly rejected "[t]he existence of a generalized right of anonymity in speech." [\[9\]](#) After all, as Justice Stevens wrote for the Supreme Court in *City of Ladue v. Gilleo*, "the identity of the speaker is an important component of many attempts to persuade." [\[10\]](#) In order for citizens to make informed choices when they go to the polls, they should know who has been trying to persuade them to vote one way or the other.

**Q: Why is support for disclosure so critical now?**

A: We are at a unique moment in the relationship of money and politics. The FEC, created after the Watergate scandal and tasked with enforcing campaign finance laws, has become deadlocked and unable to perform its functions and ensure disclosure of money spent in federal elections. At the same time, the *Citizens United* decision has unleashed a torrent of unidentifiable but generously-funded spending on our elections. The opponents of disclosure have been emboldened by victories on other campaign finance issues and are launching an assault on the decades-old disclosure laws that safeguard our elections. The basic principle that voters should have the information they need to make an informed choice in the voting booth is under attack by wealthy special interests.

- [1] [Citizens United v. Fed. Election Comm'n](#), 130 S. Ct. 876, 915 (2010) (internal citations omitted).
- [2] [Id.](#) at 916.
- [3] [Id.](#)
- [4] [Id.](#)
- [5] [John Doe No. 1 v. Reed](#), 130 S. Ct. 2811, 2837 (2010) (Scalia, J., concurring).
- [6] [Citizens United](#) at 916 (2010).
- [7] [Buckley v. Valeo](#), 96 S. Ct. 612, 661 (1976).
- [8] [See Nat'l Ass'n for the Advancement of Colored People v. State of Ala. ex. rel. Patterson](#), 357 U.S. 449, 462-63 (1958); [Brown v. Socialist Workers '74 Campaign Comm. \(Ohio\)](#), 459 U.S. 87, 93-100 (1982).
- [9] [McIntyre v. Ohio Elections Comm'n](#), 115 S. Ct. 1511, 1535 (1995) (Scalia, J., dissenting).
- [10] [City of Ladue v. Gilleo](#), 114 S. Ct. 2038, 2046 (1994).

### Mission Statement

The Campaign Legal Center is a nonpartisan, nonprofit organization which works in the areas of campaign finance and elections, political communication and government ethics. The Legal Center offers nonpartisan analyses of issues and represents the public interest in administrative, legislative and legal proceedings. The Legal Center also participates in generating and shaping our nation's policy debate about money in politics, disclosure, political advertising, and enforcement issues before the Congress, the Federal Communications Commission (FCC), Federal Election Commission (FEC) and the Internal Revenue Service (IRS).

### Funding

Current and past funders include: the Benton Foundation, the Brennan Center for Justice, Carnegie Corporation of New York, the JEHT Foundation, the Justice Through Music Project, the Joyce Foundation, the Media Democracy Fund, the Open Society Institute, The Pew Charitable Trusts, the Proteus Fund, the Rockefeller Brothers Fund, the Rockefeller Family Fund, and the Stuart Family Foundation.

## Training Seminars

The seminars listed below will be held at the Offices of the Commission, located at 28 West State Street, Trenton, New Jersey. Seminars are conducted at 10:00 a.m.

RSVP by mailing the form back to ELEC, PO Box 185, Trenton, NJ 08625-0185. Or, you may fax the form to ELEC at (609) 633-9854.

	DATE
<b>TREASURER TRAINING FOR POLITICAL PARTY COMMITTEES AND PACS</b>	12/14/2011

## Dates to Remember

### Reporting Dates

	PERIOD COVERED	REPORT DUE DATE
<b>GENERAL ELECTION** - NOVEMBER 8, 2011</b>		
29-day pre-election	6/25/11-10/7/11	10/11/2011
11-day pre-election	10/8/11-10/25/11	10/28/2011
20-day post-election	10/26/11-11/25/11	11/28/2011
48 Hour Notice Reports Start on 10/26/11 through 11/8/11		
<b>PACS &amp; CAMPAIGN QUARTERLY FILERS</b>		
4 <sup>th</sup> Quarter	10/1/11-12/31/11	1/17/2012

\*\* Form PFD-1 is due on April 21, 2011 for Primary Election Candidates and June 17, 2011 for Independent General Election Candidates.

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

## 29-Day Pre-Election Reports

Legislative candidates have raised and spent slightly less than they did at the same time four years ago while incumbents appear to be gaining an increased advantage over challengers, according to an analysis by the New Jersey Election Law Enforcement Commission (ELEC).

The 29-day pre-election reports show candidates have raised \$26 million and spent \$12.7 million since the June primary. Those reports also show that they have \$13.3 million in reserve.

Amounts Reported by Legislative Candidates 29-Days before the Election		
YEAR	RAISED	% CHANGE
2011	\$26,027,610	-7%
2007	\$27,881,940	38%
2003	\$20,159,973	32%
2001	\$15,296,863	
YEAR	SPENT	% CHANGE
2011	\$12,727,451	-10%
2007	\$14,079,744	35%
2003	\$10,438,782	59%
2001	\$ 6,548,479	
YEAR	CASH-ON-HAND	% CHANGE
2011	\$13,304,075	-4%
2007	\$13,812,894	21%
2003	\$11,417,955	10%
2001	\$10,400,934	

One trend that stands out is what appears to be a growing advantage in fundraising by incumbents.

As of the 29-day report, incumbents have raised 84 percent of the money. This follows a pattern that began two years ago when incumbents raised 81 percent of funds. In prior elections, the differential was closer to 60 percent to 40 percent.

Aside from pay-to-play laws and the economy, one factor that could be constraining legislative fundraising is the recent emergence of independent non-profit groups organized through the IRS, which could be siphoning away dollars from more traditional fundraising committees.

It is impossible to determine the impact of these so-called 501 (c) groups because they are not required to disclose their contributors. ELEC, as a bi-partisan Commission, has called on the Legislature to mandate disclosure by these groups if they participate in New Jersey elections.

Democrats, who control majorities in both legislative houses, continued to show fundraising dominance over Republicans by roughly a two-to-one margin. A similar trend was seen during the primary. Unaffiliated candidates also raised and spent a small amount.

Following a historical trend, Senate candidates reported raising more money than Assembly candidates even though there are half as many Senate members. Candidates for State Senate raised \$14.3 million to \$11.7 million raised by their Assembly counterparts.

Once again, several districts that traditionally have been battlegrounds, including the 38<sup>th</sup>, 14<sup>th</sup>, and 2<sup>nd</sup>, are among those drawing the most funds from the parties. More than \$15 million, or nearly 60 percent of all funds raised by both parties, have been funneled into the top ten districts (by fundraising).

Top Ten Legislative Districts by Fundraising through October 7, 2011	
DISTRICT	RAISED
38	\$2,245,281
27	\$2,013,852
3	\$1,922,454
2	\$1,890,359
14	\$1,600,609
36	\$1,485,379
7	\$1,330,066
17	\$1,114,096
18	\$ 856,272
21	\$ 813,721

An even larger share of funds spent- \$9.4 million, or 74 percent- has gone to the top ten districts (by spending).

Top Ten Legislative Districts by Spending through October 7, 2011	
DISTRICT	SPENT
38	\$1,864,545
14	\$1,417,972
2	\$1,269,299
36	\$ 948,935
27	\$ 931,341
3	\$ 802,140
7	\$ 741,850
4	\$ 580,489
20	\$ 405,763
1	\$ 395,341

## Big Six Committees 3<sup>rd</sup> Quarterly Reports

In mid October, the state's two major political parties reported raising a combined \$6.9 million so far this year while spending \$5 million, according to their latest quarterly reports on campaign finance activity.

Reports filed by the two state parties and four Legislative Leadership Committees with the New Jersey Election Law Enforcement Commission (ELEC) show that Republican committees continue to raise and spend more than Democratic committees through September 30, and have more than twice the reserves.

Compared to four years ago, which was the last time all 120 legislative seats were up for reelection, combined "Big Six" fundraising is down 26 percent, and spending down 25 percent. Cash-on-hand and net worth both were down more than 50 percent.

<b>CAMPAIGN FINANCE ACTIVITY - JANUARY 1 THROUGH SEPTEMBER 30 2007 VERSUS 2011 COMBINED TOTALS FOR BOTH PARTIES</b>				
	<b>RAISED JANUARY 1 THROUGH SEPTEMBER 30</b>	<b>SPENT JANUARY 1 THROUGH SEPTEMBER 30</b>	<b>CASH-ON-HAND ON SEPTEMBER 30</b>	<b>NET WORTH* ON SEPTEMBER 30</b>
Both Parties Combined -2007	\$ 9,322,605	\$ 6,713,166	\$ 7,176,172	\$ 7,095,891
Both Parties Combined- 2011	\$ 6,913,921	\$ 5,025,694	\$ 3,428,259	\$ 3,123,885
<b>Difference-Dollars</b>	<b>\$(2,408,684)</b>	<b>\$(1,687,472)</b>	<b>\$(3,747,913)</b>	<b>\$(3,972,006)</b>
<b>Difference-%</b>	<b>-26%</b>	<b>-25%</b>	<b>-52%</b>	<b>-56%</b>

*\*Net worth is cash-on-hand adjusted for debts owed to or by committee.*

Since 2007, fundraising totals reported by Democratic committees are down while those of Republican committees have improved.

<b>FUNDRAISING - JANUARY 1 THROUGH SEPTEMBER 30 2007 VERSUS 2011 COMBINED TOTALS FOR THE "BIG SIX" COMMITTEES OF EACH PARTY</b>				
<b>REPUBLICANS</b>	<b>RAISED JANUARY 1 THROUGH SEPTEMBER 30</b>	<b>SPENT JANUARY 1 THROUGH SEPTEMBER 30</b>	<b>CASH-ON-HAND ON SEPTEMBER 30</b>	<b>NET WORTH* ON SEPTEMBER 30</b>
<b>2007</b>	\$ 2,417,714	\$ 1,910,229	\$ 1,646,941	\$ 1,537,758
<b>2011</b>	\$ 4,460,053	\$ 3,092,896	\$ 2,442,833	\$ 2,197,751
<b>Difference-Dollars</b>	\$ 2,042,339	\$ 1,182,667	\$ 795,892	\$ 659,993
<b>Difference-%</b>	<b>84%</b>	<b>62%</b>	<b>48%</b>	<b>43%</b>
<b>DEMOCRATS</b>				
<b>2007</b>	\$ 6,904,891	\$ 4,802,937	\$ 5,529,231	\$ 5,558,133
<b>2011</b>	\$ 2,453,868	\$ 1,932,798	\$ 985,426	\$ 926,134
<b>Difference-Dollars</b>	<b>\$(4,451,023)</b>	<b>\$(2,870,139)</b>	<b>\$(4,543,805)</b>	<b>\$(4,631,999)</b>
<b>Difference-%</b>	<b>-64%</b>	<b>-60%</b>	<b>-82%</b>	<b>-83%</b>

*\*Net worth is cash-on-hand adjusted for debts owed to or by committee.*

The most recent "Big Six" reports showed that during the quarter between July 1 and September 30, the GOP committees raised and spent nearly two times more contributions than Democratic committees.

<b>QUARTERLY TOTALS FOR "BIG SIX" COMMITTEES</b>		
<b>REPUBLICANS</b>	<b>RAISED JULY 1 THROUGH SEPTEMBER 30</b>	<b>SPENT JULY 1 THROUGH SEPTEMBER 30</b>
New Jersey Republican State Committee	\$ 1,479,809	\$ 1,445,970
Senate Republican Majority	\$ 315,868	\$ 243,839
Assembly Republican Victory	\$ 245,985	\$ 279,178
<b>SUB TOTAL REPUBLICANS</b>	<b>\$ 2,041,662</b>	<b>\$ 1,968,987</b>
<b>DEMOCRATS</b>		
New Jersey Democratic State Committee	\$ 512,196	\$ 399,504
Senate Democratic Majority	\$ 271,399	\$ 371,896
Democratic Assembly Campaign Committee	\$ 404,197	\$ 370,285
<b>SUB TOTAL DEMOCRATS</b>	<b>\$ 1,187,792</b>	<b>\$ 1,141,685</b>
<b>TOTAL BOTH PARTIES</b>	<b>\$ 3,229,454</b>	<b>\$ 3,110,672</b>

The latest reports from "Big Six" committees confirm trends observed recently. The statistics showing Big Six receipts down by 26 percent represent a good barometer of the impact of pay-to-play on fundraising.

The state party committees and legislative leadership committees are all directly subject to pay-to-play restrictions and as such their fundraising is being inhibited.

The economy, the absence of former Governor Jon Corzine as a major contributor, and the increased presence of independent outside groups have all played a part in the decline. However, the downward trend began with pay-to-play in 2006.

State Party Committees and Legislative Leadership Committees are required to report their financial activity to the Commission on a quarterly basis. The reports are available on ELEC's website at [www.elec.state.nj.us](http://www.elec.state.nj.us).

## Marcus Malmignati "Profile" Assistant Compliance Officer

If Marcus Aurelius was alive today, the Roman emperor probably would want to serve on the New Jersey Election Law Enforcement Commission.

Aurelius, who ruled from 161 to 180 AD, was considered one of Rome's greatest leaders, a philosopher king known for his strong ethical principles.

The late English classicist Michael Grant called him "the noblest of all the men who, by sheer intelligence and force of character, have prized and achieved goodness for its own sake and not for any reward."

While the emperor is long gone, his namesake does work for the commission- Marcus Malmignati, an assistant compliance officer.

Malmignati believes his late father, Ernest, a student of classical history, did name him after the Roman ruler, and said he personally studied the emperor's musings in college.

Some of Aurelius's most enduring "Meditations," such as "your life is what your thoughts make it" and "execute every act of thy life as though it were thy last," led to common modern expressions. Perhaps the most relevant for political candidates is this: "If it is not right, do not do it; if it is not true, do not say it." Former President Bill Clinton has called "Meditations" his favorite book.

Malmignati acknowledges it was partly the inspiration of the emperor's thoughts on ethics and public service that drew him to ELEC. In Aurelius's time, public service was considered a high calling, he said. Malmignati has a similar view.

"There's something noble about public service. I feel good about what I do each day," said Malmignati, who helps candidates and treasurers navigate the complex rules that govern campaign finance and lobbying. "You don't feel bad when you tell somebody what you do. I'm trying to make a difference."

The job choice also was for practical reasons. He said he once read a book that discussed possible career choices for history majors. Among them- working at flea markets or as a forest ranger. Neither option appealed to him as much as a career at ELEC, nor did teaching, another recommendation.

Malmignati, a lifelong Mercer County resident, began working at ELEC in October 2005. It was about a year after he graduated from College of New Jersey. He received his Bachelors of Arts degree in history with a minor in classical studies.

At ELEC, he spends part of his days working the phones, and part checking and coding for computer purposes reports submitted by candidates and political action committees.

While he may have to deal with dozens of people during the week, the affable employee said most exchanges end on a cordial note even if those calling are somewhat vexed by the reporting requirements under campaign finance law.

In his leisure time, Malmignati reads history and memoirs. He also confesses: "Some would say my hobby involves collecting expensive hobbies."

He once gained his certification as a scuba diver. He is restoring his 1971 Pontiac GTO (he admits a weakness for "muscle cars" despite their anemically low gas mileage). He makes his own wine. He golfed for awhile. He has a salt water aquarium at home. And he likes to garden and fish.

Malmignati also enjoys traveling with his wife Rosanna. They honeymooned in the remote Fiji islands and last year visited Sicily. In earlier years, he visited Saint Martin island, England and Paris.