

52' 13C-22.1

LEGISLATIVE HISTORY CHECKLIST

(Lobbyist reporting of expenditures on
Legislator--changes requirement)

NJSA 52:13C-22.1

LAWS 1981

CHAPTER 513

Bill No. S3474

Sponsor(s) Bedell

Date Introduced Dec. 3, 1981

Committee: Assembly -----

Senate State Govt., Federal & Interstate Relations

Amended during passage

~~Yes~~

No

Date of Passage: Assembly Jan. 11, 1982

Senate Dec. 17, 1981

Date of approval Jan. 12, 1982

Following statements are attached if available:

Sponsor statement

~~Yes~~

No

Committee Statement: Assembly

~~Yes~~

No

Senate

~~Yes~~

No

Fiscal Note

~~Yes~~

No

Veto Message

~~Yes~~

No

Message on signing

~~Yes~~

No

Following were printed:

Reports

~~Yes~~

No

Hearings

~~Yes~~

No

Regulations of Election Law Enforcement Commission:

19 NJAC 25-3.1 et seq., as amended 13 NJR 895(a) (R.1981, d.471)

6/22/81

DEC

SENATE, No. 3474

STATE OF NEW JERSEY

INTRODUCED DECEMBER 3, 1981

By Senator BEDELL

Referred to Committee on State Government, Federal and
Interstate Relations and Veterans Affairs

AN ACT concerning the disclosure of certain information by certain
persons seeking to influence legislation in this State and amend-
ing P. L. 1981, c. 150.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. Section 2 of P. L. 1981, c. 150 (C. 52:13C-22.1) is amended to
2 read as follows:

3 2. Each legislative agent or lobbyist shall make and certify the
4 correctness of a full annual report to the Election Law Enforce-
5 ment Commission, of those moneys, loans, paid personal services or
6 other things of value contributed to it and those expenditures made,
7 incurred or authorized by it for the purpose of direct, express and
8 intentional communication with legislators or the Governor or his
9 staff undertaken for the specific purpose of affecting legislation
10 during the previous year. The report shall include the following
11 expenditures which *expressly* relate to direct, express and inten-
12 tional communication with legislators for the specific purpose of
13 affecting legislation[;]: media, including advertising; entertain-
14 ment; food and beverage; travel and lodging; honoraria; loans;
15 gifts; *and* salary, fees, allowances or other compensation paid to a
16 legislative agent. The expenditures shall be reported whether made
17 to a legislator, legislative agent or lobbyist. The expenditures shall
18 be reported in the aggregate by category, except that if the
19 expenditures aggregate on behalf of a legislator or the Governor
20 or his staff exceed \$25.00 per day, they shall be detailed separately
21 as to the name of the legislator or the Governor or his staff, date
22 and type of expenditure, amount of expenditure and to whom paid.
23 Where the expenditure in the aggregate on behalf of any one
24 legislator or the Governor or his staff exceed \$200.00 per year, the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

25 expenditure, together with the name of the legislator or the Gov-
26 ernor or his staff, shall be stated in detail including the type of
27 each expenditure, amount of expenditure and to whom paid. Where
28 the expenditures in the aggregate with respect to any specific
29 occasion are in excess of \$100.00, the report shall include the date
30 and type of expenditure, amount of expenditure and to whom paid.
31 The Election Law Enforcement Commission may, in its discretion,
32 permit joint reports by legislative agents. No legislative agent
33 shall be required to file a report unless all moneys, loans, paid
34 personal services or other things of value contributed to it for the
35 purpose of direct, express and intentional communication with
36 legislators or the Governor or his staff undertaken for the specific
37 purpose of affecting legislation exceeds \$2,500.00 in any year or
38 unless all expenditures made, incurred or authorized by it for the
39 purpose of direct, express or intentional communication with legis-
40 lators or the Governor or his staff undertaken for the specific pur-
41 pose of affecting legislation exceeds \$2,500.00 in any year.

42 Any lobbyist who receives contributions or makes expenditures
43 to influence legislation shall be required to file and certify the
44 correctness of a report of such contributions or expenditures if the
45 contributions or expenditures made, incurred or authorized by it
46 for the purpose of direct, express or intentional communication
47 with legislators or their staffs or the Governor or his staff under-
48 taken for the specific purpose of affecting legislation exceed, in the
49 aggregate, \$2,500.00 in any year. Any lobbyist required to file a
50 report pursuant to this section may designate a legislative agent
51 in its employ or otherwise engaged or used by it to file a report on
52 its behalf provided such designation is made in writing by the
53 lobbyist, is acknowledged in writing by the designated legislative
54 agent and is filed with the Election Law Enforcement Commission
55 on or before the date on which the report of the lobbyist is due for
56 filing, and further provided that any violation of this act shall
57 **[be]** subject both the lobbyist and the designated legislative agent

1 2. This act shall take effect immediately.

STATEMENT

This bill would amend P. L. 1981, c. 150 to clarify the legislative intent of the law requiring legislative agents to file annual reports listing expenditures for lobbying purposes.

P. L. 1981, c. 150 clearly defines lobbying as direct, express and intentional communication with legislators for the specific purpose of affecting legislation.

The annual financial disclosure reports filed by legislative agents must list for the public record all moneys expended for the purpose of affecting legislation after a certain threshold is reached.

The Election Law Enforcement Commission's regulations, however, interpret the law to require that expenditures be listed even when no lobbying has taken place during the time that the legislative agent expended money on behalf of a legislator.

This bill would add the word "expressly" in connection with the expenditure reporting requirements, thereby clarifying the intent of the Legislature that the only expenditures required to be reported would be those made during a period when the specific purpose of the occasion was to directly affect a specific piece of legislation as defined in P. L. 1981, c. 150.

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 26 ernor or his staff, shall be stated in detail including the type of
 27 each expenditure, amount of expenditure and to whom paid. Where
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