

19:34-64 to 68

LEGISLATIVE HISTORY CHECKLIST

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NJSA 19:34-64 to 19:34-68 ("Fair Campaign Practices Act")

Laws of 1975 Chapter 190

Bill No. A945

Sponsor(s) Baer

Date Introduced Jan. 24, 1974

Committee: Assembly State Gov't. & Federal & Interstate Relations
Senate Judiciary

Amended during passage Yes amendments during passage denoted by asterisks

Date of passage: Assembly April 14, 1975

Senate May 27, 1975

Date of approval August 16, 1975

Following statements are attached if available:

Sponsor statement Yes

Committee Statement: Assembly No

Senate Yes

Fiscal Note No

Veto message No

Message on signing No

Following were printed:

Reports No

Hearings No

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MAY 1977

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ASSEMBLY, No. 945

STATE OF NEW JERSEY

INTRODUCED JANUARY 24, 1974

By Assemblymen BAER, HOLLENBECK, GLADSTONE and
CONTILLOReferred to Committee on State Government, Federal and
Interstate RelationsAN ACT regarding campaign practices and supplementing chapter
34 of Title 19 of the Revised Statutes.1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*1 1. This act shall be known and may be cited as the "Fair
2 Campaign Practices Act."1 ***[2. No person shall pay, lend or contribute, or offer to pay, lend**
2 **or contribute to any person, and no person shall accept from any**
3 **person, any money or other valuable consideration to impede,**
4 **infiltrate, obstruct or otherwise interfere with the campaign of any**
5 **candidate for public office or party position.]***1 ***[3. No person shall, as a volunteer or without compensation, per-**
2 **form any function in the campaign of a candidate under the in-**
3 **structions of an opposing candidate or for the purpose of willfully**
4 **disrupting, sabotaging or otherwise willfully causing harm to the**
5 **campaign of any candidate he is serving. A person shall be**
6 **presumed to be performing a campaign function for a candidate if**
7 **he is a member of the candidate's campaign committee or is work-**
8 **ing under the direct supervision of a member of the candidate's**
9 **campaign committee.]***1 *2. *No person shall perform any function in the campaign of a*
2 *candidate for public office or party position for the purpose of*
3 *impeding the campaign of such candidate while concealing that he*
4 *is actually acting under the instructions of, or on behalf of, another*
5 *candidate or such other candidate's paid or volunteer campaign*
6 *staff.****EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

1 ***[4.]*** *3.* No person shall knowingly produce, transmit or ***[pay**
 2 **for]*** *disseminate* any election advertisement, literature or other
 3 mass communication in any medium, including but not limited to
 4 newspapers, magazines, printed circulars, television, radio, movies,
 5 telephone, telegraph, billboards and signs, which purports to
 6 ***[originate, or gives the appearance of originating, from the**
 7 **campaign of a candidate who has not authorized it, but in fact is**
 8 **intended to aid and abet the campaign of an opponent of the candi-**
 9 **date or damage the campaign of the candidate]*** *or appears to*
 10 *originate from, or be on behalf of, the campaign of a candidate for*
 11 *public office or party position, for the purpose of* ***[willfully]***
 12 *impeding the campaign of such candidate while failing to reveal*
 13 *specifically in such communication that he is acting under the in-*
 14 *structions of, or on behalf of, another candidate or such other candi-*
 15 *date's paid or volunteer campaign staff; provided, however, that*
 16 *this section shall not apply to any owner, manager, editor, publisher,*
 17 *reporter or employee of any newspaper, magazine, periodical or*
 18 *other publication or of any radio or television station who, in the*
 19 *course of his duties, publishes or broadcasts any such advertise-*
 20 *ment, literature or mass communication.**

1 *4. No person shall, directly or indirectly, by himself or through
 2 any other person acting in his behalf, knowingly give, lend, or agree,
 3 offer or promise to give or lend, any money or other valuable con-
 4 sideration, office, place, employment or thing to any person to
 5 induce him to violate section 2 or section 3 of this act.*

1 5. Any person who shall violate any of the provisions of this
 2 act shall be ***[guilty of a misdemeanor]*** *a disorderly person*.*

1 ***[6.** The nomination for or election to any office of any candidate
 2 who is guilty of a misdemeanor under any of the provisions of this
 3 act shall be void, and the office shall be filled as required by law
 4 in the case of a vacancy; provided, however, that nothing herein
 5 contained shall be construed in derogation of the constitutional
 6 authority of either House of the Legislature to be the judge of the
 7 election and qualification of its own members.]*

1 ***[7.]*** *6.* This act shall take effect immediately.

ASSEMBLY, No. 945
STATE OF NEW JERSEY

INTRODUCED JANUARY 24, 1974

By Assemblymen BAER, HOLLENBECK, GLADSTONE and
CONTILLO

Referred to Committee on State Government, Federal and
Interstate Relations

AN ACT regarding campaign practices and supplementing chapter
34 of Title 19 of the Revised Statutes.

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

1 1. This act shall be known and may be cited as the "Fair
2 Campaign Practices Act."

1 2. No person shall pay, lend or contribute, or offer to pay, lend
2 or contribute to any person, and no person shall accept from any
3 person, any money or other valuable consideration to impede,
4 infiltrate, obstruct or otherwise interfere with the campaign of any
5 candidate for public office or party position.

1 3. No person shall, as a volunteer or without compensation, per-
2 form any function in the campaign of a candidate under the in-
3 structions of an opposing candidate or for the purpose of willfully
4 disrupting, sabotaging or otherwise willfully causing harm to the
5 campaign of any candidate he is serving. A person shall be
6 presumed to be performing a campaign function for a candidate if
7 he is a member of the candidate's campaign committee or is work-
8 ing under the direct supervision of a member of the candidate's
9 campaign committee.

1 4. No person shall knowingly produce, transmit or pay for any
2 election advertisement, literature or other mass communication
3 in any medium, including but not limited to newspapers, magazines,
4 printed circulars, television, radio, movies, telephone, telegraph,
5 billboards and signs, which purports to originate, or gives the
6 appearance of originating, from the campaign of a candidate who
7 has not authorized it, but in fact is intended to aid and abet the
8 campaign of an opponent of the candidate or damage the campaign
9 of the candidate.

1 5. Any person who shall violate any of the provisions of this
2 act shall be guilty of a misdemeanor.

1 6. The nomination for or election to any office of any candidate
2 who is guilty of a misdemeanor under any of the provisions of this
3 act shall be void, and the office shall be filled as required by law
4 in the case of a vacancy; provided, however, that nothing herein
5 contained shall be construed in derogation of the constitutional
6 authority of either House of the Legislature to be the judge of the
7 election and qualification of its own members.

1 7. This act shall take effect immediately.

STATEMENT

This bill proscribes a wide variety of "dirty tricks" played in election campaigns which are not presently punishable in New Jersey. The integrity of the election process requires prevention of deception and interference by disruptive agents of opposing factions in the course of election campaigns.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 945

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with Committee amendment

STATE OF NEW JERSEY

DATED: APRIL 28, 1975

This bill would make it a disorderly persons offense for a person to conceal that he is working under the instructions or on behalf of one candidate while he is performing acts or disseminating information or literature on behalf of the campaign of another candidate with the purpose of impeding that candidate's campaign.

The committee amendment was made to remove unnecessary language.