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LEGISLATIVE HISTORY CHECKLIST

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Laws of 1975 Chapter 11

Bill No. A2351

Sponsor(s) Burstein

Date Introduced December 3, 1974

Committee: Assembly Education

Senate _____

Amended during passage Yes No

Date of passage: Assembly December 19, 1974

Senate January 6, 1975

Date of approval February 6, 1975

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

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67 *in subsection d. of this section or to comply with the requirements*
68 *of sections 9, 11 or 12 of this act, if the total amount expended and*
69 *to be expended in behalf of his candidacy by the candidate, any*
70 *political committee, any political party committee or by any person,*
71 *does not in the aggregate exceed \$1,000.00; provided, that if such*
72 *candidate receives contributions from any one source aggregating*
73 *more than \$100.00 he shall forthwith make a report of the same,*
74 *including the identity of the source and the aggregate total of con-*
75 *tributions therefrom, to the commission.*

76 *f.* In any report filed pursuant to the provisions of this section, the
77 names and addresses of contributors whose contributions during
78 the period covered by the report did not exceed \$100.00 may be
79 excluded; provided, however, that (1) such exclusion is unlawful
80 if any person responsible for the preparation or filing of the report
81 knew that such exclusion was made with respect to any person
82 whose contributions relating to the same election and made to the
83 reporting candidate or to an allied campaign organization
84 or organizations aggregate, in combination with the contribu-
85 tion in respect of which such exclusion is made, more than
86 \$100.00, and (2) any person who knowingly prepares, assists in
87 preparing, files or acquiesces in the filing of any report from which
88 the identity of any contributor has been excluded contrary to the
89 provisions of this section is subject to the provisions of section 21
90 of this act, but (3) nothing in this proviso shall be construed as
91 requiring any candidate reporting pursuant to this act to report
92 the amounts, dates or other circumstantial data regarding con-
93 tributions made to any other candidate, political committee or com-
94 mittee of a political party.

95 *g.* Any report filed pursuant to the provisions of this section shall
96 include an itemized accounting of all receipts and expenditures
97 relative to any testimonial affair held since the date of the most
98 recent report filed, which accounting shall include the names and
99 addresses of each contributor in excess of \$100.00 to such testi-
100 monial affair and the amount contributed by each, the expenses
101 incurred, and the disposition of the proceeds of such testimonial
102 affair.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this amendment is to eliminate any filing require-
ment on board of education candidates whose expenditures do not
exceed \$1,000.00. The advisability of such an amendment is sup-
ported by commission experience in the 1973 school elections in

which 2,578 candidates of the 2,589 candidates filing with the commission indicated expenditures of \$1,000.00 or less.

There remain 26 candidates who have not completed filing requirements as imposed by the act and these candidates are the subject of continuing commission hearings and enforcement procedures. In approximately 600 cases of delinquent filings, which the commission has investigated both through correspondence and hearings, no situation has been revealed in which the commission has reason to believe that expenditures exceeded \$1,000.00. The amount of time expended by the commission, both through staff effort and commission hearings, to monitor school election finances is not felt by the commission to be justified by the financial activities of candidates for school boards as revealed by the 1973 experience. The amendments, suggested the commission, retain the capacity to monitor expenditures of candidates expending in excess of \$1,000.00 and retain the authority to investigate complaints and circumstances where the commission has reason to believe that the failure to file is improper by virtue of there being expenditures in excess of \$1,000.00.

Additionally, the information dissemination process to political candidates, through county and municipal clerks, often does not reach school board candidates whose election process is outside of the scope of those officers. In the 1973 school district elections the commission has repeatedly noted that information dissemination through county school superintendents and school board secretaries did not, for whatever reason, take place in a satisfactory fashion.