



M U L T I S T A T E

**[NJ law is meant to increase campaign finance transparency. It also guts local pay-to-play rules.](#)** (New Jersey)

The New Jersey Legislature is on the verge of changing the state's campaign finance restrictions, despite opposition from good government groups.

[The Elections Transparency Act](#) would double the amount individuals or groups could give to non-gubernatorial candidates, parties and county party organizations — commonly referred to as political machines. Contributions to candidates would go from \$2,600 to \$5,200 in a given election cycle. Contributions to political committees would double to \$14,400. Those limits would also increase annually under a formula in the bill.

It also would dismantle local laws that prohibit campaign donations from people who do business directly with government, and regulate all those donations through state law instead.

“While we're all in support of improving transparency to reduce and eliminate the influence of dark money and politics, this bill somehow manages to gut New Jersey's anticorruption laws,” said Sheila Reynertson, a senior policy analyst with think tank New Jersey Policy Perspective. “It guts local pay-to-play provisions in the name of simplicity and strengthening enforcement, and it blows the lid off of political contributions by doubling contribution limits and removing most provisions on business contributions to parties.”

But the bill's chief sponsor, Assemblyman Louis Greenwald, a Democrat whose district includes portions of Burlington and Camden counties, says the contribution limits haven't been changed in 17 years and are out of date. And the U.S. Supreme Court decision in *Citizens United v. Federal Elections Committee* opened the floodgate of political donations that are shielded from public view.

“We don't see what those contributions are. This bill lifts that and creates a mechanism where all of those contributions are now transparent,” Greenwald said.

The bill would require 501(c)4 organizations and political action committees to report any contributions more than \$7,500 — instead of the current \$10,000. They'd also have to report all of their expenditures, not just those over \$3,000, as required by current law.

Campaigns would have to report individual donor contributions of at least \$200, instead of the current \$300. In the final 11 days of a race, a campaign would have to report contributions of \$1,900 or more within one day, instead of the currently allowed two days.

The bill would also lower the threshold for barring contractors from being eligible for no-bid contracts. They'd be disqualified from those contracts if they've given \$200 or more to a campaign, instead of \$300. But it would create a loophole in the current pay-to-play restrictions by allowing party organizations to accept donations from government contractors.

The names and addresses of donors who give \$200 to a campaign would have to be listed on disclosures, down from \$300.

Currently, local governments pass their own pay-to-play rules that restrict people who do business with their municipality or county from donating to the officials who decide on those contracts. Under the new proposal, all local ordinances would be repealed and the state would replace them with one state regulation.

But state law regarding government contracts has what advocates describe as another large loophole. If a contract is awarded through an open bidding process, then campaign contributions by the winner of that contract are allowed.

Greenwald defends that system.

"The public has a right to know what those campaign contributions were. And then the contracts themselves should be judged on merit based on cost and quality," Greenwald said. "And if all of that is made public, that's a very transparent system. And that provides the purest system and the best system for people to make those evaluations."

When a version of the bill was first introduced and then tabled last summer, the architect of the state's pay-to-play rules wrote an [op-ed](#) for NJ Spotlight arguing against it.

"The explosion of super PACs and independent expenditure efforts have made increased enforcement of New Jersey's pay-to-play protections more critical than ever," wrote Harry Pozycki, founder of the Citizens Campaign, which authored and promoted model versions of the anti-pay-to-play resolutions and ordinances many governments use. "The answer is not to throw out smart contracting protections under the cover of a broad campaign finance overhaul."

Philip Hensley, a democracy policy analyst for the nonpartisan League of Women Voters of New Jersey, said many of the local pay-to-play laws are stronger than what is proposed for the whole state. "It's a bill that promises one thing and it really takes us in the wrong direction," Hensley said. "We're really concerned that even though it's billed as a transparency law, it would fail to make election spending truly transparent, which is desperately needed for sure."

Hensley said state pay-to-play law has loopholes that many local ordinances do not. A member of the Legislature can accept a donation from a contractor who does business in their district, because technically, the legislator doesn't vote on a local contract.

"There are a bunch of loopholes in state law. This does nothing to close them, and this just opens up lots of more loopholes to apply literally everywhere because towns and counties won't have any recourse anymore," Hensley said.

The version of the bill introduced this summer would have also required large donations to be reported within 96 hours, instead of just in quarterly reports. That provision has since been stripped out, over the objections of transparency advocates.

Gov. Phil Murphy hasn't said yet if he supports the bill, [telling NJ.com earlier this month](#) that, while he's generally on board with increasing government transparency, he didn't have any comments to share on the bill's specifics.

Hensley and other good government advocates acknowledge that the patchwork of local pay-to-play laws aren't working, but they say this proposal makes the situation worse. And they're not happy about the bill being quickly moved through the process during the holiday season.

"That's not an accident – the people who set those committee agendas know that this is a safe time," said Micah Rasmussen, director of the Rebovich Institute for New Jersey Politics at Rider University. Before taking his academic position, Rasmussen worked in the state Assembly, was press secretary for former Gov. Jim McGreevey and managed several campaigns.

"When it's before the election, they say, 'No, we're not moving those [bills] right now. Wait until December, right?' Rasmussen said. "Wait until lame duck, or wait until the period when people aren't really paying attention. It's not quite nefarious, but it's also very intentional. It is somewhere between the two."

### **[Huntington Beach City Council votes to substantially raise campaign contribution limits](#)** (California)

One of the first 4-3 votes of Tuesday night's Huntington Beach City Council meeting was to [increase the salary of City Atty. Michael Gates](#).

But it was not the only 4-3 vote that the newly divided council made. Not by a long shot.

The panel also voted to increase the campaign contribution limits, amend the city's code enforcement process to bar anonymous complaints and authorize Gates to challenge the city's Regional Housing Needs Assessment numbers.

They also approved Mayor Tony Strickland's Council Liaison list, requested a CEQA review for the Great Pacific Air Show and voted to waive the attorney-client and closed session confidentiality privileges for meetings on an [age-discrimination lawsuit that was against the city and Gates](#).

All came by the same 4-3 vote, with the [newly elected conservative majority](#) pushing the items through.

The increase in the campaign contributions limit would be from \$620 to \$4,900 per person or business, which matches the state limits of the state Legislature for Senate and Assembly candidates.

Strickland, who served in both of those state bodies, introduced the item. He said when he considered running for City Council, people told him no one typically won the first time because of small donor limits.

“You’re not going to get rid of money out of politics, but what you are going to do is empower candidates, where the money goes directly to them,” he said. “The citizens know who that money goes to, then they can make their educated choice ... This brings about more accountability in our candidates and campaigns. Most cities do go along with the limits of the state of California, and that will allow us to have a more informed citizenry when it comes to elections here in Huntington Beach.”

“The strongest hit pieces are the ones done by outside groups, not by the candidates, because the candidates have to put their name behind that. If you want to see less negative campaigning, you pass this measure.”

Strickland noted that Westminster, the city immediately to Huntington Beach’s north, has no campaign contributions limits. Mayor Pro Tem Gracey Van Der Mark, who unsuccessfully ran for the Ocean View School District Board of Trustees in 2018, added that OVSD also does not have contributions limits.

“This is not wildly outrageous,” she said. “We’re trying to just give the control back to the candidate, instead of having to rely on independent expenditures to be in a successful race.”

Councilman Dan Kalmick said he was not against raising the limits but still voted against the item.

“I’d like to get some context on a per capita basis,” he said. “A state Senate race is a million people. We’re one-fifth the size of a Senate district, so \$1,100 or \$1,200 seems like a good trial to go. I just question why we need to do this today. No one’s going to start raising money for a year and a half, usually, before we start running for elections [in 2024].”

Councilwoman Natalie Moser also voted against the item. She said that when she ran for council in 2020, she had 244 itemized contributions averaging just \$161 each.

“Personally, I want people who are your regular residents to feel like they have power and can make a difference,” she said. “I believe that we should not be adding and increasing our campaign finance contributions at this time because I think it does the opposite of that.”

## [New year brings lobbying restrictions, toll breaks for Floridians](#) (Florida)

Beefed up lobbying restrictions and breaks for motorists who frequently use toll roads are among state laws and other changes that will arrive with the new year.

The laws, passed during this year's regular legislative session and special sessions, also include making available land-preservation money, allowing local governments to publish legal notices online instead of in newspapers and ending a long-controversial practice in the property-insurance system.

Most of the bills that Gov. Ron DeSantis signed this year took effect on July 1 or upon his signature. But here are some changes that will take effect Sunday:

--- LOBBYING: New laws (HB 7001 and HB 7003) will carry out a constitutional amendment that voters overwhelmingly passed in 2018 to expand from two years to six years the time that certain officials will have to wait to start lobbying after leaving government positions. The restrictions will apply to lawmakers, state agency heads, judges and many local officials.

--- TOLL CREDITS: During a special session this month, lawmakers approved a measure (SB 6-A) that will provide 50 percent credits to motorists who record 35 or more toll-road trips in a month. The program will last for a year, with lawmakers agreeing to spend \$500 million to help toll agencies cover lost revenue.

--- DISASTER ASSISTANCE: Responding to the devastating 2021 collapse of the Champlain Towers South building in Surfside, lawmakers approved making property tax rebates available when residential properties are rendered uninhabitable for 30 days. During the December special session, lawmakers passed a measure (SB 4-A) to offer similar rebates to property owners who sustained damage in Hurricane Ian and Hurricane Nicole. Property owners will be able to apply to county property appraisers between Jan. 1 and April 1.

--- LAND PRESERVATION: Part of the state budget will free up \$300 million within the Department of Agriculture and Consumer Services for land acquisition.

--- PUBLIC NOTICES: Lawmakers approved a measure (HB 7049) that will allow local governments to publish legal notices on county websites instead of in newspapers. Local governments in counties with fewer than 160,000 residents must first hold public hearings to determine if residents have sufficient access to the internet.

— PROPERTY INSURANCE: Lawmakers during the special session this month approved ending a controversial practice known as assignment of benefits for property insurance. The practice involves homeowners signing over claims to contractors, who then pursue payments from

insurers. The prohibition on assignment of benefits (SB 2-A) will apply to policies issued on or after Jan. 1.

— WORKERS' COMPENSATION RATES: An average 8.4 percent decrease in workers' compensation insurance rates will take effect in January, marking the sixth consecutive year that average rates have decreased.

--- APPELLATE COURTS: Florida's appellate courts will be revamped Jan. 1 under a law (HB 7027) that created a 6th District Court of Appeal and revised the jurisdictions of the 1st District Court of Appeal, the 2nd District Court of Appeal and the 5th District Court of Appeal.

--- MIYA'S LAW: Lawmakers passed a measure (SB 898) that will require apartment landlords to conduct background checks on all employees. The bill, dubbed "Miya's Law," came after the death of 19-year-old Miya Marcano, a Valencia College student who went missing from her Orlando apartment in September and was found dead a week later. The suspected killer, who later committed suicide, worked as a maintenance worker at Marcano's apartment complex.

--- SCHOOL BOOK SELECTIONS: As part of a broader education bill (HB 1467), lawmakers required that a training program be available as of Jan. 1 for school librarians, media specialists and others involved in the selection of school library materials. The program is aimed, in part, at providing access to "age-appropriate materials and library resources."

--- NEWBORN SCREENINGS: A measure (SB 292) will require hospitals and other state-licensed birthing facilities to test newborns for congenital cytomegalovirus if the infants fail hearing tests. The virus can cause hearing loss in infants.