



For More Than Four Decades, Public Funding has Helped Keep NJ Gubernatorial Elections Clean

JEFF BRINDLE | June 02, 2021, 10:48 am | in [Edward Edwards](#)

In March 1973, the administration of Governor William T. Cahill was beset with charges of corruption.

Though Cahill's first term had been successful, and the Governor himself was not personally involved, the Governor's Secretary of State was indicted on charges of bribery and extortion in connection with a highway construction project.

A Cahill fundraiser was indicted on similar charges and within weeks two more fundraisers were accused of bribery and conspiracy. Other indictments followed involving irregularities in the financing of the Governor's campaign. As if this was not enough, the nation was embroiled in the Watergate scandal.

The circumstances impelled Republican Governor Cahill and the Legislature to enact the 1973 Campaign Contributions and Expenditures Reporting Act (Campaign Act). The new law created the New Jersey Election Law Enforcement Commission (ELEC) and required candidates to file reports with the agency disclosing their contributions and expenditures.

A year later, newly elected Governor Brendan T. Byrne, a Democrat, and the Legislature, established the nation's first voluntary Gubernatorial Public Financing Program within ELEC.

Bipartisan support for campaign finance reform, including the Gubernatorial Public Financing Program, helped the State become a leader in the field.

The Gubernatorial Public Financing Program still is held up as a national model. With the general election for governor right around the corner in November, the program already is playing an important role.

Two candidates qualified for public funds in the primary- incumbent Governor Phil Murphy, who is running for reelection, and former state Assemblyman Jack Ciattarelli, a Republican.

The \$8.5 million in public funds already received by the two candidates is more than the \$6.7 million received by four candidates during the entire primary in 2017. Each is eligible to receive up to \$4.6 million in this year's primary.

Governor Murphy, unopposed in the Primary, is expected to participate in the program in the fall. There are four candidates vying for the Republican nomination: Ciattarelli, Hirsh Singh, Phil Rizzo, and Brian Levine. The winner is expected to participate as well.

As noted above, New Jersey became the first state to enact a Gubernatorial Public Financing Program, which matches every one dollar raised privately with two public dollars. Established when the Campaign Act was amended in 1974, the program at first applied only to the general election of 1977.

The Campaign Act was amended again in 1980 to include the gubernatorial primary election as well.

The twin goals of the program are to allow qualified candidates of limited means to run for governor and to eliminate undue influence from the process. ELEC set forth a third goal, albeit informal: to protect public funds by distributing public dollars prudently.

Since the general election of 1977, about \$145 million in public funds have been distributed to 78 qualified candidates for governor, 38 Republicans and 37 Democrats. The amount of money provided to candidates since 1977 comes to little more than \$5 per votes cast, a bargain considering New Jersey's gubernatorial elections have been scandal free.

Throughout its history, the program has been partially funded by the State income tax check-off program. This provision allows taxpayers to choose to contribute one dollar to the program by checking a box on their State income tax form.

From its inception, the program contained contribution limits, expenditure limits, a qualification threshold, and a public funds cap. For several years following the first publicly funded contest, the various thresholds and limits were not adjusted for inflation, threatening the viability of the program.

An ELEC report published in June 1988 recommended that the various limits and thresholds be adjusted to account for inflation.

The Legislature in 1989 agreed, adjusting the limits and thresholds applicable to the 1993 contests for governor. The adjustments, to be made over each successive four-year period following 1993, were to be calculated by a unique campaign cost index formula created by ELEC.

The program has remained viable ever since, with contribution and expenditure limits adjusted to account for campaign related inflation. The qualifying threshold and public funds cap are adjusted for inflation as well.

To say that the Gubernatorial Public Financing Program has been a success is an understatement. Since its inception, every person elected to the State's highest office, except one, has qualified and received public funds.

Former Governor Jon Corzine did not participate in 2005 or in 2009, having decided to self-finance his campaigns. Interestingly, his opponent in 2005, Douglas Forrester, also self-financed his campaign, making the 2005 election unique among the many contests since 1977 since neither nominee took public funds.

However, even in 2005, the program helped some candidates. Six Republican primary candidates who lost to Forrester, and an independent candidate in the general election, together received \$6.9 million in public money.

In a state with a long history of corruption, New Jersey's gubernatorial contests have been free of even the appearance of scandal since the advent of public funding in 1977.

In July, the Commission will select sponsors for two ELEC-sanctioned interactive debates between publicly financed candidates in the fall. The deadline for the first submission to receive public funds for the general election is September 1.

Qualifying candidates will be eligible for \$10.5 million in public funds for the fall campaign, once again making New Jersey's first-in-the-nation Gubernatorial Public Financing Program an important part of the election for the State's highest office.

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The opinions presented here are his own and not necessarily those of the Commission.