The Commission by way of Complaint alleges:

**COUNT ONE**

1. Respondent Committee is a legislative leadership committee in New Jersey.

2. On April 30, 2015, Respondent Committee filed a Legislative Leadership Committee – Registration Statement and Designation of Organizational Depository form (*Form D-5*). The
Form D-5 designated Respondent Holland as the organizational treasurer and was certified by Respondent Holland.

3. On April 17, 2017, Respondents filed a Receipts and Expenditures Quarterly Report (Form R-3) as a 2017 first quarter report (2017 Q1), reporting contributions received and expenditures made during the time period from January 1, 2017 through March 31, 2017 (2017 Q1 reporting period).

4. Respondents reported three contributions on the 2017 Q1 as follows:
   a. $1000.00 received on January 29, 2017;¹
   b. $2000.00 received on February 3, 2017;² and
   c. $1500.00 received on February 20, 2017.³

5. Respondents did not report the contributor’s occupation for the contribution referenced in paragraph 4(a).

6. Upon information and belief, Respondents did not report the correct contributor or corresponding information for the contribution referenced in paragraph 4(b).

7. Upon information and belief, the contribution referenced in paragraph 4(c) was received by a check drawn on the account of a limited liability company (LLC). Respondents have not reported the contributing member or members for that contribution.

8. Respondents reported making a $1750.00 expenditure on February 6, 2017.⁴ Respondents did not report the complete payee address for this expenditure.

9. Respondents reported eleven expenditures made by credit card (credit card expenditures) totaling $4597.36, reported on the 2017 Q1, Schedule C, page 2 of 3, as follows:
   a. $145.81 on January 25, 2017;
   b. $114.77 on January 25, 2017;
   c. $118.44 on January 27, 2017;
   d. $2827.40 on February 7, 2017;
   e. $212.60 on February 9, 2017;
   f. $141.49 on February 13, 2017;
   g. $132.41 on February 17, 2017;

¹ P. 1 of 10 (Schedule A) of the 2017 Q1.
² P. 4 of 10 (Schedule A) of the 2017 Q1.
³ P. 5 of 10 (Schedule A) of the 2017 Q1.
⁴ P. 1 of 3 (Schedule C) of the 2017 Q1.
h. $296.56 on February 20, 2017;

i. $118.17 on February 27, 2017 (reported as $118.00);

j. $163.59 on March 1, 2017; and,


10. Respondents did not report the vendor address for the credit card expenditures referenced in paragraph 9 (a) through (f) and (h) through (j), and did not report the purpose or vendor address for the credit card expenditures referenced at (g) and (k).

11. Respondents did not report three credit card expenditures totaling $401.55 that were made during the 2017 Q1 reporting period.

PROPOSED CONCLUSIONS OF LAW:

12. Respondent Committee was at all times relevant to this complaint a legislative leadership committee as the term is defined at N.J.S.A. 19:44A-3s, and therefore was subject to the requirements of the Campaign Act and Commission Regulations.

13. Respondent Holland was at all times relevant to this complaint the organizational treasurer for Respondent Committee and was therefore subject to the requirements of the Campaign Act and Commission Regulations.

14. Respondents were required by N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-9.1 to file a certified Form R-3 as a 2017 Q1 on April 17, 2017, reporting all contributions received and expenditures made during the 2017 Q1 reporting period.

15. For each contribution in excess of $300.00, Respondents were required by N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-10.2 to report the (1) date of receipt; (2) contribution amount; (3) contributor’s name; and (4) contributor’s address. Where the contributor was an individual, N.J.A.C. 19:25-10.2A required Respondents to report (5) his or her occupation and (6) the name and address of his or her employer.

16. Pursuant to N.J.A.C. 19:25-11.10(c), LLCs are not permitted to make contributions as entities. For each contribution drawn on the account of an LLC, Respondents were required, pursuant to N.J.A.C. 19:25-11.10(c), to determine the contributing member or members, and maintain a record of contribution information.

17. For each contribution received in excess of $300.00 from a contributing member of an LLC, Respondents were required, pursuant to N.J.S.A. 19:44A-8, N.J.A.C. 19:25-10.2, 19:25-10.2A and 19:25-11.10, to report the (1) name and address of the contributor; (2) contribution
amount (3) date of receipt; (4) the individual contributor’s occupation; and (5) name and address of the individual contributor’s employer.

18. For each contribution received from a contributing member of an LLC that is $300.00 or less, Respondents were required, pursuant to N.J.S.A. 19:44A-8, N.J.A.C. 19:25-10.3 and 19:25-11.10, to include the amount in the sum of contributions of $300.00 or less.

19. Pursuant to N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-12.2, for each expenditure, Respondents were required to report the (1) date expenditure was made; (2) full name and address of payee; (3) purpose; (4) amount; and (5) check number.

20. For each expenditure made by a credit card owned by and issued in the name of Respondent Committee, Respondents were required, pursuant to N.J.S.A. 19:44-4 and N.J.A.C. 19:25-12.4, to report the (1) name and address of the lending institution that issued the credit card; (2) check number, payment date, and amount of the expenditure paid to the issuer of the credit card; and (3) for each purchase itemized on the credit card statement, expenditure information pursuant to N.J.A.C. 19:25-12.2.

21. Respondents violated N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-10.2 and 19:25-10.2A by failing to report the correct contributor for the $2000.00 contribution referenced in paragraph 4(b), and the contributor’s occupation for the $1000.00 contribution referenced in paragraph 4(a).

22. By failing to report the contributing member or members for the $1500.00 contribution referenced in paragraph 4(c), Respondents violated N.J.S.A. 19:44A-8 and 19:25-11.10, as well as N.J.A.C. 19:25-10.2, 19:25-10.2A and/or 19:25-10.3.


25. Respondents are each subject to imposition of the penalties prescribed by N.J.S.A. 19:44A-22 and N.J.A.C. 19:25-17.1 et seq, which may not be more than $7600.00 for each transaction that has not been reported in the manner or in the time prescribed by the Campaign Act or Commission Regulations.
COUNT TWO

PROPOSED FINDINGS OF FACT:

26. The Proposed Findings of Fact contained in Count One are repeated and incorporated herein.

27. On July 17, 2017, Respondents filed a Form R-3 as the 2017 second quarter report (2017 Q2), reporting contributions received and expenditures made during the time period from April 1, 2017 through June 30, 2017 (2017 Q2 reporting period).

28. Respondents reported four contributions on the 2017 Q2, as follows:
   a. $1000.00 received on May 14, 2017; \(^5\)
   b. $1000.00 received on June 8, 2017; \(^6\)
   c. $500.00 received on June 8, 2017; \(^7\) and,
   d. $1000.00 received on June 16, 2017. \(^8\)

29. Upon information and belief, the contributions referenced in paragraph 28 were received by checks drawn on the accounts of LLC’s. Respondents have not reported the contributing member or members for these contributions.

30. Respondents reported the purpose for three expenditures totaling $1694.45 as “reimbursement.” \(^9\)

31. Respondents reported 14 credit card expenditures on Schedule C, page 2 of 3, on the 2017 Q2 in the following amounts: (a) $114.77, (b) $110.09, (c) $160.92, (d) $123.32, (e) $663.99, (f) $14.92, (g) $156.12, (h) $2005.56, (i) $1490.00, (j) $169.66, (k) $201.92, (l) $206.19, (m) $142.56, and (n) $115.84. Respondents did not report the vendor address for these 14 expenditures. Upon information and belief, the correct amount for the expenditures listed as (b) and (e) are $110.49 and $360.65, respectively.

32. Respondents reported two credit card expenditures to the same vendor ($115.84 and $160.07) on Schedule C, page 2 of 3, on the 2017 Q2. Respondents did not report the vendor’s address or the purpose for these two expenditures.

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\(^5\) P. 2 of 9 (Schedule A) of the 2017 Q2.
\(^6\) P. 2 of 9 (Schedule A) of the 2017 Q2.
\(^7\) P. 5 of 9 (Schedule A) of the 2017 Q2.
\(^8\) P. 7 of 9 (Schedule A) of the 2017 Q2.
\(^9\) P. 1 of 3 (Schedule C) of the 2017 Q2.
33. Upon information and belief, Respondents made two expenditures totaling $42.40 and a $72.73 credit card expenditure during the 2017 Q2 reporting period. Respondents did not report these expenditures.

PROPOSED CONCLUSIONS OF LAW:

34. The Proposed Conclusions of Law contained in Count One are repeated and incorporated herein.

35. Respondents were required by N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-9.1 to file a certified Form R-3 as a 2017 Q2 report on July 17, 2017, reporting all contributions received and expenditures made during the 2017 Q2 reporting period.

36. For each contribution in excess of $300.00, Respondents were required by N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-10.2 to report the (1) date of receipt; (2) contribution amount; (3) contributor’s name; and (4) contributor’s address. Where the contributor was an individual, N.J.A.C. 19:25-10.2A required Respondents to report (5) his or her occupation and (6) the name and address of his or her employer.

37. Pursuant to N.J.A.C. 19:25-11.10(c), LLCs are not permitted to make contributions as entities. For each contribution drawn on the account of an LLC, Respondents were required, pursuant to N.J.A.C. 19:25-11.10(c), to determine the contributing member or members, and maintain a record of contribution information.

38. For each contribution received in excess of $300.00 from a contributing member of an LLC, Respondents were required, pursuant to N.J.S.A. 19:44A-8, N.J.A.C. 19:25-10.2, 19:25-10.2A and 19:25-11.10, to report the (1) name and address of the contributor; (2) contribution amount (3) date of receipt; (4) the individual contributor’s occupation; and (5) name and address of the individual contributor’s employer.

39. For each contribution received from a contributing member of an LLC that is $300.00 or less, Respondents were required, pursuant to N.J.S.A. 19:44A-8, N.J.A.C. 19:25-10.3 and 19:25-11.10, to include the amount in the sum of contributions of $300.00 or less.

40. Pursuant to N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-12.2, for each expenditure, Respondents were required to report the (1) date expenditure was made; (2) full name and address of payee; (3) purpose; (4) amount; and (5) check number.

41. For each expenditure made by a credit card owned by and issued in the name of Respondent Committee, Respondents were required, pursuant to N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-12.4,
to report the (1) name and address of the lending institution that issued the credit card; (2) check number, payment date, and amount of the expenditure paid to the issuer of the credit card; and (3) for each purchase itemized on the credit card statement, expenditure information pursuant to N.J.A.C. 19:25-12.2.

42. By failing to report the contributing member or members for four contributions totaling $3500.00, Respondents violated N.J.S.A. 19:44A-8 and 19:25-11.10, as well as N.J.A.C. 19:25-10.2, 19:25-10.2A and/or 19:25-10.3.

43. Respondents violated N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-9.1 and 19:25-12.2 by failing to report two expenditures totaling $42.40 and a sufficient purpose for three expenditures totaling $1694.45, referenced in paragraphs 33 and 30, respectively.

44. Respondents violated N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-12.2 and 19:25-12.4 by failing to report a $72.73 credit card expenditure, failing to report vendor addresses for 14 credit card expenditures, and vendor addresses and purpose for two credit card expenditures totaling $275.91, referenced in paragraphs 33, 31 and 32, respectively.

45. Respondents are each subject to imposition of the penalties prescribed by N.J.S.A. 19:44A-22 and N.J.A.C. 19:25-17.1 et seq, which may not be more than $7600.00 for each transaction has not been reported in the manner or in the time prescribed by the Campaign Act or Commission Regulations.

COUNT THREE

PROPOSED FINDINGS OF FACT:

46. The Proposed Findings of Fact contained in Counts One and Two are repeated and incorporated herein.

47. On October 5, 2017, Respondents filed a Form R-3 as the 2017 third quarter report (2017 Q3), reporting contributions received and expenditures made during the time period from July 1, 2017 through September 30, 2017 (2017 Q3 reporting period).

48. Respondents reported receiving a $1000.00 contribution on August 4, 2017. Upon information and belief, the correct amount of the contribution is $1500.00.

49. Respondents reported the purpose for a $22.48 expenditure as “reimbursement.”

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10 P. 3 of 7 (Schedule A) of the 2017 Q3.
11 P. 1 of 3 (Schedule C) of the 2017 Q3.
50. Respondents did not report the vendor address for the following 15 credit cards expenditures reported on Schedule C, page 3 of 3, totaling $1924.71: (a) $102.39, (b) $103.36, (c) $64.96, (d) $116.90, (e) $110.49, (f) $132.14, (g) $192.30, (h) $124.13, (i) $120.12, (j) $124.77, (k) $122.25, (l) $87.65, (m) $158.71,¹² (n) $280.51, and (o) $84.13. Respondents did not report the purpose for two credit card expenditures totaling $106.56: (p) $21.56 and (q) $85.00.

51. Respondents reported three expenditures totaling $45,860.79.¹³ Respondents did not report payee addresses for these expenditures.

PROPOSED CONCLUSIONS OF LAW:

52. The Proposed Conclusions of Law contained in Counts One and Two are repeated and incorporated herein.

53. Respondents were required by N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-9.1 to file a certified Form R-3 as a 2017 Q3 report on October 16, 2017, reporting all contributions received and expenditures made during the 2017 Q3 reporting period.

54. For each contribution in excess of $300.00, Respondents were required by N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-10.2 to report the (1) date of receipt; (2) contribution amount; (3) contributor’s name; and (4) contributor’s address. Where the contributor was an individual, N.J.A.C. 19:25-10.2A required Respondents to report (5) his or her occupation and (6) the name and address of his or her employer.

55. Pursuant to N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-12.2, for each expenditure, Respondents were required to report the (1) date expenditure was made; (2) full name and address of payee; (3) purpose; (4) amount; and (5) check number.

56. For each expenditure made by a credit card owned by and issued in the name of Respondent Committee, Respondents were required, pursuant to N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-12.4, to report the (1) name and address of the lending institution that issued the credit card; (2) check number, payment date, and amount of the expenditure paid to the issuer of the credit card; and (3) for each purchase itemized on the credit card statement, expenditure information pursuant to N.J.A.C. 19:25-12.2.

¹² Upon information and belief, Respondents reported the incorrect amounts for the expenditures in subparagraphs (a), (l) and (m) as $102.39, $874.65 and $1581.71, respectively.
¹³ P. 1 of 3 (Schedule E) of the 2017 Q3.
57. Respondents violated N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-10.2 and 19:25-10.2A by failing to report the correct amount of a $1500.00 contribution, referenced in paragraph 48.


60. Respondents are each subject to imposition of the penalties prescribed by N.J.S.A. 19:44A-22 and N.J.A.C. 19:25-17.1 et seq, which may not be more than $7600.00 for each transaction has not been reported in the manner or in the time prescribed by the Campaign Act or Commission Regulations.

**COUNT FOUR**

**PROPOSED FINDINGS OF FACT:**

61. The Proposed Findings of Fact contained in Counts One through Three are repeated and incorporated herein.

62. Respondents report expenditures to promote candidates in the 2017 general election on the 2017 Q3 and Q4 reports.

63. On the 2017 Q4 report, Respondents report receiving 24 contributions in excess of $1600.00 between October 1, 2017 and November 7, 2017 (**2017 Q4 48-hour period**), as follows:

   a. $12,000.00 received on October 4, 2017;\(^{14}\)
   b. $5000.00 received on October 5, 2017;\(^{15}\)
   c. $2500.00 received on October 5, 2017;\(^{16}\)
   d. $10,000.00 received on October 6, 2017;\(^{17}\)
   e. $5000.00 received on October 6, 2017;\(^{18}\)
   f. $2000.00 received on October 6, 2017;\(^{19}\)

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\(^{14}\) P. 8 of 12 (Schedule A) of the 2017 Q4.
\(^{15}\) P. 6 of 12 (Schedule A) of the 2017 Q4.
\(^{16}\) P. 8 of 12 (Schedule A) of the 2017 Q4.
\(^{17}\) P. 2 of 12 (Schedule A) of the 2017 Q4.
\(^{18}\) P. 4 of 12 (Schedule A) of the 2017 Q4.
\(^{19}\) P. 6 of 12 (Schedule A) of the 2017 Q4.
g. $2000.00 received on October 6, 2017;20
h. $3000.00 received on October 6, 2017;21
i. $3000.00 received on October 6, 2017;22
j. $3000.00 received on October 6, 2017;23
k. $10,000.00 received on October 7, 2017;24
l. $12,500.00 received on October 15, 2017;25
m. $12,500.00 received on October 15, 2017;26
n. $3000.00 received on October 15, 2017;27
o. $7000.00 received on October 15, 2017;28
p. $5000.00 received on October 20, 2017;29
q. $25,000.00 received on October 20, 2017;30
r. $24,000.00 received on October 20, 2017;31
s. $25,000.00 received on October 20, 2017;32
t. $5000.00 received on October 20, 2017;33
u. $20,000.00 received on October 20, 2017;34
v. $3000.00 received on October 29, 2017;35
w. $7000.00 received on October 29, 2017;36 and,
x. $12,500.00 received on October 29, 2017.37

64. For item i, the amount of the contribution reported is the aggregate total of contributions from the reported contributor during the 2017 Q4 48-hour period.

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20 P. 7 of 12 (Schedule A) of the 2017 Q4.
21 P. 9 of 12 (Schedule A) of the 2017 Q4.
22 P. 9 of 12 (Schedule A) of the 2017 Q4.
23 P. 9 of 12 (Schedule A) of the 2017 Q4.
24 P. 11 of 12 (Schedule A) of the 2017 Q4.
25 P. 3 of 12 (Schedule A) of the 2017 Q4.
26 P. 6 of 12 (Schedule A) of the 2017 Q4.
27 P. 8 of 12 (Schedule A) of the 2017 Q4.
28 P. 10 of 12 (Schedule A) of the 2017 Q4.
29 P. 1 of 12 (Schedule A) of the 2017 Q4.
30 P. 6 of 12 (Schedule A) of the 2017 Q4.
31 P. 7 of 12 (Schedule A) of the 2017 Q4.
32 P. 10 of 12 (Schedule A) of the 2017 Q4.
33 P. 1 of 12 (Schedule A) of the 2017 Q4.
34 P. 1 of 12 (Schedule A) of the 2017 Q4.
35 P. 11 of 12 (Schedule A) of the 2017 Q4.
36 P. 11 of 12 (Schedule A) of the 2017 Q4.
37 P. 4 of 12 (Schedule A) of the 2017 Q4.
65. Respondents did not file any written notice of the contributions from 24 different contributors, within 48 hours of receipt, or at any time prior to the 2017 general election.

PROPOSED CONCLUSIONS OF LAW:

66. The Proposed Conclusions of Law contained in Counts One through Three are repeated and incorporated herein.

67. Since Respondents made expenditures to promote candidates in the 2017 general election, Respondents were required by N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-9.3 to file within 48 hours of receipt, a report or written notice of all contributions exceeding $1600.00 received during the 2017 Q4 48-hour period (48-hour contributions), except that contributions received between October 1, 2017 and October 25, 2017 could have been reported together on a report or written notice filed no later than October 27, 2017.

68. For all 48-hour contributions, Respondents were required to report the name of the contributor, the date the contribution was received, the amount, the name and mailing address of the contributor and if the contributor is an individual, the contributor’s occupation and the name and address of the contributor’s employer, pursuant to N.J.A.C. 19:25-9.3.

69. Respondents violated N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-9.3 by failing to file within 48 hours of receipt, or on or before October 27, 2017, any written notice of the 48-hour contributions referenced in paragraph 63.

70. Respondents are each subject to imposition of the penalties prescribed by N.J.S.A. 19:44A-22 and N.J.A.C. 19:25-17.1 et seq., which may not be more than $7600.00 for each transaction which has not been reported in the manner or in the time prescribed by the Campaign Act or Commission Regulations.

COUNT FIVE

PROPOSED FINDINGS OF FACT:

71. The Proposed Findings of Fact contained in Counts One through Four are repeated and incorporated herein.

72. Respondents reported on Schedule E, page 2 of 5 of the 2017 Q4 report, three expenditures in excess of $1600.00, made during the 2017 Q4 48-hour period, as follows:
   a. $17,600.00 made on October 16, 2017;
   b. $179,500.00 made on October 20, 2017; and
   c. $220,000.00 made on October 20, 2017.
73. Respondents reported that the above expenditures were made on behalf of 2017 general election candidates.

74. Respondents did not file any written notice of the three expenditures referenced in paragraph 73 within 48 hours of making the expenditure, or at any time prior to the 2017 general election.

PROPOSED CONCLUSIONS OF LAW:

75. The Proposed Conclusions of Law contained in Counts One through Four are repeated and incorporated herein.

76. Respondents were required, pursuant to N.J.S.A. 19:44A-8 and N.J.A.C. 19:25-9.4A, to report within 48 hours of making, authorizing or incurring an expenditure in excess of $1600.00 to support a candidate in the general election during the 2017 Q4 48-hour period (48-hour expenditures), except that expenditures made between October 1, 2017 and October 25, 2017 could have been reported together on a report or written notice filed no later than October 27, 2017.

77. Pursuant to N.J.A.C. 19:25-9.4A, for all 48-hour expenditures, Respondents were required to report the name of the committee making the expenditure; the name and mailing address of the person, firm or recipient; or the name and mailing address of the organization to whom or which the expenditure was paid or given and the amount and purpose of the expenditure.


79. Respondents are each subject to imposition of the penalties prescribed by N.J.S.A. 19:44A-22 and N.J.A.C. 19:25-17.1 et seq., which may not be more than $7600.00 for each transaction which has not been reported in the manner or in the time prescribed by the Campaign Act or Commission Regulations.

COUNT SIX

PROPOSED FINDINGS OF FACT:

80. The Proposed Findings of Fact contained in Counts One through Five are repeated and incorporated herein.

81. On January 16, 2018, Respondents filed a Form R-3 as the 2017 fourth quarter report (2017 Q4), reporting contributions received and expenditures made during the time period from October 1, 2017 through December 31, 2017 (2017 Q4 reporting period).
82. Upon information and belief, Respondents received a $1000.00 contribution on or about October 6, 2017. Respondents did not report this contribution.

83. Respondents reported “reimbursement” as the purpose for three expenditures totaling $2037.40.\(^{38}\)

84. On 2017 Q4, Schedule C, page 2 of 3, Respondents reported 26 credit card expenditures (amount and date) as follows: (a) $122.25 – 10/6, (b) $143.28 – 10/7, (c) $153.97 – 10/10, (d) $174.00 – 10/12/2017, (e) $95.52 – 10/14/2017, (f) $113.31 – 10/14/2017, (g) $151.14 – 10/14/2017, (h) $221.69 – 10/21, (i) $75.58 – 10/21, (j) $314.36 – 10/23/2017, (k) $199.24 – 10/24/2017, (l) $85.19 – 11/1, (m) $316.50 – 11/1, (n) $110.52 – 11/3/2017, (o) $110.49 – 11/3, (p) $230.95 – 11/7, (q) $152.69 – 11/9/2017, (r) $112.98 – 11/12/2017, (s) $145.00 – 11/13, (t) $166.00 – 11/14, (u) $134.81 – 11/14, (v) $239.93 – 11/14, (w) $12.80 – 11/15, (x) $380.84 – 11/16, (y) $596.61 – 11/17, and (z) $109.42 – 11/17/2017. Respondents did not report the purpose or vendor address for the 21 expenditures referenced in (a) through (r) and (x) through (z), totaling $3970.53.

85. Respondents did not report the purpose for the five credit card expenditures referenced in paragraph 84, (s) through (w), totaling $698.54.

86. Respondents reported a $10,000.00 expenditure made on behalf of candidates.\(^{39}\) Respondents did not report the complete payee address for this expenditure.

87. Respondents reported three expenditures on behalf of a candidate committee as follows: (a) $179,500.00 made on October 20, 2017, (b) $220,000.00 made on October 24, 2017, and $17,600.00 made on October 16, 2017.\(^{40}\) Respondents did not report a purpose for these three expenditures.

88. Upon information and belief, Respondents made three credit card expenditures totaling $509.96 during the 2017 Q4 reporting period. Respondents did not report these expenditures.

PROPOSED CONCLUSIONS OF LAW:

89. The Proposed Conclusions of Law contained in Counts One through Five are repeated and incorporated herein.

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\(^{38}\) PP. 1-2 of 3 Schedule C) of the 2017 Q4.

\(^{39}\) P. 1 of 5 (Schedule E) of the 2017 Q4.

\(^{40}\) P. 2 of 5 (Schedule E) of the 2017 Q4.
90. Respondents were required by **N.J.S.A. 19:44A-8** and **N.J.A.C. 19:25-9.1** to file a certified Form R-3 as a 2017 Q4 report on January 16, 2018, reporting all contributions received and expenditures made during the 2017 Q4 reporting period.

91. For each contribution in excess of $300.00, Respondents were required by **N.J.S.A. 19:44A-8** and **N.J.A.C. 19:25-10.2** to report the (1) date of receipt; (2) contribution amount; (3) contributor’s name; and (4) contributor’s address. Where the contributor was an individual, **N.J.A.C. 19:25-10.2A** required Respondents to report (5) his or her occupation and (6) the name and address of his or her employer.

92. Pursuant to **N.J.S.A. 19:44A-8** and **N.J.A.C. 19:25-12.2**, for each expenditure, Respondents were required to report the (1) date expenditure was made; (2) full name and address of payee; (3) purpose; (4) amount; and (5) check number.

93. For each expenditure made by a credit card owned by and issued in the name of Respondent Committee, Respondents were required, pursuant to **N.J.S.A. 19:44A-8** and **N.J.A.C. 19:25-12.4**, to report the (1) name and address of the lending institution that issued the credit card; (2) check number, payment date, and amount of the expenditure paid to the issuer of the credit card; and (3) for each purchase itemized on the credit card statement, expenditure information pursuant to **N.J.A.C. 19:25-12.2**.


96. Respondents violated **N.J.S.A. 19:44A-8** and **N.J.A.C. 19:25-12.2** by failing to report the complete payee address for a $10,000.00 expenditure made on behalf of a joint candidates committee (JCC), and by failing to report the purpose for the three expenditures referenced in paragraph 87.

97. Respondents violated **N.J.S.A. 19:44A-8** and **N.J.A.C. 19:25-12.2** and **19:25-12.4** by failing to report three credit card expenditures totaling $509.96, by failing to report the purpose and vendor address for 21 credit card expenditures totaling $3970.53, and by failing to report the purpose for five credit card expenditures totaling $698.54, referenced in paragraphs 88, 84, and 85, respectively.
98. Respondents are each subject to imposition of the penalties prescribed by N.J.S.A. 19:44A-22 and N.J.A.C. 19:25-17.1 et seq, which may not be more than $7600.00 for each transaction has not been reported in the manner or in the time prescribed by the Campaign Act or Commission Regulations.

**COUNT SEVEN**

**PROPOSED FINDINGS OF FACT:**

99. The Proposed Findings of Fact contained in Counts One through Six are repeated and incorporated herein.

100. Respondents reported receiving $2500.00 on July 6, 2017 on the 2017 Q3, and $25,000.00 on November 2, 2017 on the 2017 Q4.

101. Upon information and belief, the contributions referenced in paragraph 100 were received from the same contributor, and exceeded the $25,000.00 contribution limit by $2500.00. Respondents failed to refund any portion of the contribution.

**PROPOSED CONCLUSIONS OF LAW:**

102. The Proposed Conclusions of Law contained in Counts One through Six are repeated and incorporated herein.

103. Respondents were prohibited, pursuant to N.J.S.A. 19:44A-8, N.J.A.C. 19:25-9.1, 19:25-11.2, and 19:25-11.8, from knowingly accepting and depositing contributions that exceeded $25,000.00 from a single contributor for the 2017 calendar year.

104. For each contribution received in excess of the contribution limit, Respondents were required, pursuant to N.J.A.C. 19:25-11.8, to return the excessive portion to the contributor within 48 hours of receipt.

105. Respondents violated N.J.S.A. 19:44A-8, N.J.A.C. 19:25-9.1, 19:25-11.2, and 19:25-11.8 by knowingly accepting, depositing, and retaining for more than 48 hours, $2500.00 from CAR-PAC, which when aggregated with prior contributions from the same contributor, was in excess of the $25,000.00 contribution limit.

106. Respondents are each subject to imposition by the Commission of the penalties prescribed by N.J.S.A. 19:44A-22e and N.J.A.C. 19:25-17.1 et seq., which penalties may not be more than $10,000.00 for willfully and intentionally accepting, retaining and not returning or refunding within 48 hours of receipt, contributions in excess of the contribution limit.
OPPORTUNITY FOR HEARING:

Pursuant to N.J.A.C. 19:25-17.1, Respondents and all parties shall have the opportunity for a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. Respondents may appear personally or by attorney. However, failure of the Respondents to file with the Commission a written answer within twenty (20) days after service of this Complaint shall constitute a default pursuant to N.J.A.C. 19:25-17.1A and thereupon the Commission may enter a Final Decision, including imposition of a monetary penalty.

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

BY: ________________________
Theresa J. Lelinski, Esq.
Assistant Legal Counsel

DATE: December 28, 2022

Joseph C. Bodek, Chairperson, on behalf of the New Jersey Senate Democratic Majority
CERTIFIED MAIL NO. 7015 0640 0002 4540 0965
RETURN RECEIPT REQUESTED

Rachel Holland, Organizational Treasurer
CERTIFIED MAIL NO. 7015 0640 0002 4540 0729
RETURN RECEIPT REQUESTED