

NJ'S MARIJUANA PUSH COULD BRING NEW HIGH IN SPECIAL INTEREST SPENDING

BY JEFF BRINDLE | 05/18/17 1:31pm



As the push to legalize marijuana intensifies, New Jersey residents could see a significant increase in issue advocacy, direct lobbying and election-related spending.

On Monday, state Sen. Nicholas Scutari (D-Union) introduced a measure that would allow marijuana use for recreational purposes. If enacted, the legislation would have New Jersey join eight other states that do so.

The recreational use of marijuana would go beyond the use of the drug for medical purposes, which is already legal in New Jersey. While the effort to build support for legalization appears to be growing, the measure is sure to meet with strong opposition. And this in and of itself is a recipe for an abundance of independent special interest spending.

If campaigns in other states are any guide, then New Jerseyans are in for a period of record spending, mostly by anonymous groups.

For example, over \$82 million has been spent for and against marijuana legalization in the eight states that have approved its use through ballot questions: Alaska, California, Colorado, Maine, Massachusetts, Nevada, Oregon and Washington.

To overcome the age-old resistance to recreational marijuana, most of the money, 91 percent, has been spent by groups advocating its legalization, according to the National Institute on Money in State Politics. Whether that will be the outcome in New Jersey remains to be seen, but quite possibly it will be if this trend holds.

Already, a trade association has formed and is attempting to build a coalition in support of the measure. According to a recent story by Susan K. Livio of NJ Advance Media, "The New Jersey Cannabis Industry Association is amassing support from agriculture, security, technology, chemistry, and other markets."

A second group, New Jersey United for Marijuana Reform, formed in 2015, is sure to be a protagonist in this drama as well. It issued a report last year that claimed recreational marijuana could generate \$300 million in state tax revenue.

No New Jersey group has arisen yet to oppose legalization. But Gov. Chris Christie is a strong opponent, calling it a “God awful, stupid program” that would “poison our kids for one percent more money,” according to story by Katie Jennings of Politico.

The issue recently came up in the publicly-financed gubernatorial debates, testifying to its resonance as a topic of interest for the election of the state’s highest office.

All four Democratic candidates participating in the debates have indicated their support of the measure. The two participating Republican candidates declined to support recreational use of marijuana but called for its decriminalization.

One thing is certain: Given the recent dominance of independent spending in elections in New Jersey and nationwide, as well as the recent uptick in spending on grassroots lobbying (otherwise known as issue advocacy), spending on marijuana legalization is likely to be substantial.

The likelihood of legislation being enacted in New Jersey this year is extremely remote. Christie is a steadfast opponent. As governor, in all probability, he will not sign the bill.

Proponents recognize this, however, and are gearing up for a campaign that will go beyond this legislative session and into the next. Their efforts this year will be to soften the ground for 2018, when a new governor takes office and an all-out assault on current law could take place.

Therefore, the spending on issue ads likely will start this year and continue into 2018. Millions of dollars will have been spent for and against the use of marijuana for recreational use by the time the debate concludes. Groups that make a direct appeal to the public with these kinds of ads are supposed to report their expenditures to the New Jersey Election Law Enforcement Commission each February.

With the stakes so high, there also could be electioneering ads by independent groups to support gubernatorial and legislative candidates who favor passage of the law and oppose those who do not.

This prospect, combined with super PAC spending on this year’s gubernatorial and legislative elections, brings further urgency for state legislation to be enacted that would require registration and disclosure by these outside groups.

It is in the best interest of the public to bring these groups in line with political parties and candidates, both of which are held accountable by strong disclosure requirements.

Jeff Brindle is the Executive Director of the New Jersey Election Law Enforcement Commission. The opinions presented here are his own and not necessarily those of the Commission.