

MINUTES OF THE COMMISSION MEETING

September 24, 1975

PRESENT

ABSENT

Frank P. Reiche, Chairman
Sidney Goldmann, Vice-Chairman
Josephine S. Margetts, Member
Archibald S. Alexander, Member
David F. Norcross, Executive Director
Edward J. Farrell, Counsel
Herbert Alexander, Consultant

- 1) The Commission dispensed with the reading of the minutes of the September 10 meeting and directed that consideration of the minutes be postponed until the next regular meeting.
- 2) Change in Commission Meeting Dates. October 6, 1975 (special meeting on budget matters), October 17, 1975, November 3 and 19, 1975 and December 17, 1975.
- 3) Proposed Revision of Regulation 19:25-12.2 (Testimonial Affairs). The Commission adopted a proposed revision of Regulation 19:25-12.2 regarding Testimonial Affairs, by deleting subsection (c), effective for all elections subsequent to the 1975 General Election. It was announced that the matter will be on the agenda for November 3, 1975 and public comment may be made at that time. Motion by Goldmann, seconded by Margetts. Vote 4-0.
- 4) Proposed Revision of Regulation 19:25-7.8 (Separate, Segregated Campaign Account). The Commission adopted the following proposed revision of Regulation 19:25-7.8; the proposed regulation reads as follows: "A political party committee or a political committee (may) shall designate a separate, segregated campaign account of such political party committee or political committee...." and add example as follows: "Example 1.: A county political party committee proposes to take an active role in the general election on behalf of three candidates for the office of Freeholder. The committee must open a 'Campaign Account for county political party committee - 1975', and must handle all contributions and expenditures in respect of that election through that separate, segregated campaign account. At the close of the campaign, the account must be closed and a final report with respect to the activities respecting that election forwarded to the Commission. If the final report with respect to the account cannot be completed as part of the 15 day post-election report, then that political party committee will have the obligation to file 60-day reports until such time as a final report has been filed." It was announced at the meeting that the matter will be on the agenda for November 3, 1975 and public comment may be made at that time. Motion by Alexander, seconded by Goldmann. Vote 4-0. This revision is effective for all elections subsequent to the 1975 General Election.

- 5) Commission vs. Cape May County Republican Organization. The Commission appointed Harold B. Wells, III, Esq. as Hearing Officer.
- 6) Consideration of Advisory Opinions, numbers O-15-75, O-16-75, O-17-75 and O-20-75 was held until the meeting of October 17, 1975.
- 7) The Chairman discussed the four Campaign Education Seminars being held in September: 1) Saddle Brook (Holiday Inn), September 22; 2) Cranford (Coachman Inn), September 25; 3) Atlantic City, (Chalfonte-Haddon Hall), September 29; and 4) Trenton (State Museum Auditorium), September 30, all at 7 p.m. He invited the Commissioners to attend the seminars.
- 8) A discussion was held regarding the microfilm jacket process for record retention. The Executive Director reviewed the merits of this system. Dr. Alexander, disapproved of the system for current elections, stating it would deprive the public of hard copy for current elections. He did not disapprove, however, of microfilming for archival purposes.
- 9) Budget Meeting. The Commission decided to meet on October 6, 1975 to review the 1976-77 budget.
- 10) On Motion by Commissioner Alexander, seconded by Commissioner Margetts, Vice-Chairman Goldmann was re-elected to serve as Vice-Chairman. Vote 3-0, Goldmann abstaining
- 11) A discussion with respect to filing an amicus curiae brief in the U.S. Supreme Court in the matter of Buckley et als vs. Valeo et als. It was decided to have Counsel explore joining California in such an undertaking. Further developments will be discussed at the October 6, 1975 meeting. Motion by Commissioner Goldmann, seconded by Margetts. Vote 4-0.
- 12) Commission vs. Gilroy. It was decided by the Commission that a hearing would be needed. A summary of offenses and formal complaints would be drafted and presented to the Commissioners at the October 6, meeting. Mr. Farrell suggested Gerald Miller, Esq. as Hearing Officer for these complaints and the suggestion was accepted.
- 13) The Commission agreed to recommend the amending of Assembly Bill #3201 as follows: 22(a) - "Any person (charged with the responsibility under the terms of this Act for filing of any reports or other documents required to be filed pursuant to this Act) who fails, neglects or omits to file any (such) report or document required to be filed pursuant to this Act at the time or in the manner prescribed by (law) this Act, or who omits or incorrectly states any of the information required (by law) to be included in such report or document, or who otherwise (negligently) violates any provision of this Act, shall, in addition to any other penalty provided by law, be liable to a penalty of not more than \$1,000 for the first offense and not more than \$2,000 for the second and each subsequent offense."

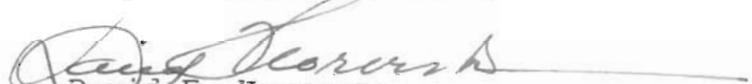
14) Commission vs. Starner (C-06-75). The Commission discussed this case at length, with comments from Counsel regarding Mr. Starner's attorney's exceptions. A Motion was made by Commissioner Alexander to find a violation of section 7 for campaign overexpenditures; to find no intent to conceal or misrepresent receipts or expenditures; therefore, because of a statutory anomaly providing no penalty for such a violation, to impose no penalty in this case. The Motion failed for lack of second. A Motion was made by Chairman Reiche to remand the matter to the Hearing Officer for a report on the exceptions filed by the respondent's attorney. Commissioner Margetts seconded the Motion. Vote 4-0.

15) No Final Report by Joseph Garrubbo or Ralph A. Skowron, both assembly candidates in the 1973 General Election had been timely filed. The Commission decided that a letter of admonition should be sent to each candidate and directed the Executive Director to do so. Motion by Goldman, seconded by Reiche. Vote 4-0.

16) John P. Norek vs. South Amboy Tavern Owners Association (C-299-75). Edward Adourian was appointed Hearing Officer.

The meeting was adjourned at 4:20 p.m.

Respectfully submitted,


David F. Norcross
Executive Director