

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

October 15, 1980

PRESENT

Sidney Goldmann, Chairman
Josephine S. Margetts, Member
Andrew Axtell, Member
Lewis B. Thurston, Executive Director
Edward J. Farrell, General Legal Counsel
William Schmidt, Assistant Executive Director
Gregory E. Nagy, Staff Counsel
M. Robert DeCotiis, Commission nominee, attended as an observer.

The Chairman called the meeting to order and announced that pursuant to the Open Public Meetings Law, P. L. 1975, c.231, annual notice of the meetings of the Commission, as amended, has been filed with the Secretary of State's office, and that copies have been posted in the State House Annex, and mailed to the Newark Star Ledger, the Philadelphia Bulletin and the entire State House press corps.

The meeting convened at 10:10 a.m.

1. Public Hearing on Proposed Comprehensive Regulations of the Commission on Public Financing of Gubernatorial Primary Elections

The Commission convened in the Senate Majority Conference Room of the State House in Trenton for this public hearing. A court stenographer was present. No witnesses appeared at the public hearing. At 10:35, Chairman Goldmann declared the public hearing concluded and indicated that written comments would be received by the Commission until November 1 in accordance with the Administrative Procedure Act.

2. Approval of Minutes of Public Session of Commission Meeting of September 24, 1980

On a motion by Commissioner Margetts, seconded by Commissioner Axtell and a vote of 3-0, the Commission approved the public session minutes of the above-cited meeting.

3. Public Indication of Executive Session Action from the Commission Meeting of September 24, 1980

On a motion by Commissioner Axtell, seconded by Commissioner Margetts and a vote of 3-0, the Commission made public its actions at the executive session of the Commission meeting of September 24, 1980 relative to certain enforcement actions.

4. Advisory Opinions

The Commission reviewed the general subject area of the following advisory opinions which have previously been rendered:

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0-32-80, Elton A. Conda, Re Citizens for Parker
0-33-80, Henry Ramer, for Friends of Pat Kramer

The Commission reviewed the following advisory opinion requests and decided on advisory opinions in each case:

0-34-80, Joseph S. Van Osten, South Jersey Builders PAC, Inc.
0-35-80, Tracy Tobin, Municipal Candidate
0-36-80, Joel M. Steinberg for Citizens for Better Government
0-37-80, Bruce D. Walter
0-38-80, Edmond Geisler

5. Report on Current Legislation

The executive director reported on the status of legislation of interest to the Commission, including S1433 to appropriate funds for the gubernatorial primary election, S1396 and S1397 to remove the Commission's statutory authority to receive annual financial reports from lobbyists, S1286 to require legislative candidates to file personal financial disclosure statements with the Commission and A1645, an omnibus bill to amend the Campaign Contributions and Expenditures Reporting Act.

6. Executive Session

On a motion by Chairman Goldmann, seconded by Commissioner Margetts and a vote of 3-0, the Commission went into executive session to discuss current litigation, the executive session minutes of the meeting of September 24, 1980, enforcement cases and an investigative matter. At the conclusion of the executive session, the Commission returned to public session on a motion by Chairman Goldmann, seconded by Commissioner Margetts and a vote of 3-0.

7. Update on Gubernatorial Candidate Filings

The executive director indicated that 16 candidates for Governor for the 1981 primary election had filed with the Commission thus far.

8. Review of Certifications to ELEC on October 15 by Gubernatorial Primary Election Candidates

The executive director indicated that as of the start of today's meeting that most of the candidates had filed the required certifications which are due by 5:00 p.m. on October 15. He indicated that he anticipated a high level of compliance with the certification requirements.

9. Report on ELEC Budget for Fiscal Year 1982

The executive director reported that the Commission's budget was submitted to the Division of Budget and Accounting in a timely fashion on October 1, 1980.

10. Discussion of Upcoming Conference of the Council on Governmental Ethics Laws

The Commission authorized the executive director, the assistant executive director and staff counsel to attend the 1980 annual conference of the Council in San Diego, California from December 8-10. The general legal counsel, who is on a contractual basis, indicated he will attend the conference at his own expense. The executive director serves as a member of the Steering Committee of this organization and the general legal counsel will chair a panel at the conference.

11. Review of ELEC Proposed Comprehensive Regulations Re Public Financing of Gubernatorial Primary Elections

The Commission reviewed its proposed comprehensive public financing regulations re gubernatorial primary elections and suggested changes from the staff. After a careful review of the regulations, the Commission adopted a number of changes, largely of a technical nature which will not require additional notice. The Commission directed the staff to prepare an amended draft of the proposed regulations which will be considered for adoption at the Commission meeting on November 5, 1980.

12. Adjournment - The Commission adjourned the meeting at 3:00 p.m.

Respectfully submitted,



LEWIS B. THURSTON, III
Executive Director