

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

MAY 2, 1983

PRESENT

Andrew C. Axtell, Chairman
Haydn Proctor, Member
Alexander P. Waugh, Jr., Member
Scott A. Weiner, Executive Director
Edward J. Farrell, General Counsel
William R. Schmidt, Assistant Executive Director
Gregory E. Nagy, Staff Counsel
Sidney Goldmann, Consultant

ABSENT

M. Robert DeCotiis, Member

Chairman Axtell called the meeting to order and announced that pursuant to the Open Public Meetings Law, P.L. 1975, c.231, special notice of the meeting of the Commission, had been filed with the Secretary of State's office, and distributed to the entire State House Press Corps.

The meeting convened at 10:10 a.m. at the Commission's office, Trenton, New Jersey.

1. Approval of Minutes of Public Session of Commission Meeting of April 11, 1983

Commissioner Waugh observed that the Public Session minutes for the April 11, 1983 meeting contained no motion concerning the Commission's action on item number 2, "Personal Financial Disclosure Regulations". He observed that Commissioner DeCotiis had moved and he, Commissioner Waugh had seconded and the Commission had approved by a vote of 4-0 the changes proposed by General Legal Counsel Farrell. Commissioner Waugh also noted that Commissioner Proctor was absent from the March 23, 1983 meeting and therefore the vote on the approval of the minutes of the March 23, 1983 meeting should be 3-0.

On a motion by Commissioner Proctor, seconded by Commissioner Waugh and a vote of 3-0, the Commission approved the minutes, as amended, of the Public Session of April 11, 1983.

2. Discussion of Personal Financial Disclosure Regulations

Executive Director Weiner noted that the Commission is not asking for specific dollar amounts. Rather, it is asking for the disclosure of the sources of income in excess of \$100 when the total received within any one category exceeds \$1,000.

3. Advisory Opinion Request - 07-1983

The Commission reviewed a two-page March 31, 1983 Advisory Opinion Request from Richard K. Weinroth, Esq., concerning possible lobbyist disclosure requirements in a situation wherein Mr. Weinroth provided both legal and lobbying services. The Commission reviewed a two-page draft Advisory Opinion dated May 2, 1983. On a motion by Commissioner Proctor, seconded by Commissioner Waugh and a vote of 3-0, the Commission authorized the release of the Advisory Opinion.

4. Report on FY 84 Budget

Executive Director Weiner said that the Joint Appropriations Committee scheduled its hearing on the ELEC budget for April 27th but that he never testified. Mr. Weiner said that the J.A.C. Chairman decided not to take separate oral presentations; however, Mr. Weiner had submitted written responses to inquiries from the Committee.

5. Report on Pending Legislation

Mr. Weiner reported that there are three bills introduced to amend the Campaign Reporting Act. To date, nothing substantive has happened. Mr. Weiner said he has advised the legislative leadership that if action is not taken within the next two or three weeks it will be too late to amend the Act for the 1983 general election. Mr. Weiner said the staff is continuing to review and revise the forms and that Mr. Farrell is preparing a comparison of the proposals in the three bills.

Commissioner Waugh asked if the Commission should write the Speaker. Chairman Axtell said that if the Commission has received no answer within a week on status of legislative action to amend the Campaign Reporting Act then the Commission should send a letter to the legislative leadership, particularly Speaker Karcher.

6. Executive Director's Report

Mr. Weiner reported that the staff has conducted two training sessions for candidates and treasurers in Camden County and in Newark at the Rutgers campus and that three more are scheduled for the week of May 2nd in New Brunswick, Ocean County and Bergen County.

Mr. Weiner reported that the office will be moved on Friday, May 20th to the 12th floor of this building.

Mr. Weiner reported that the Public Hearing on Wednesday, May 11th is still scheduled for 10:00 a.m. in the Assembly Chambers. He said that as of now there is one witness but others have expressed interest in appearing. He said he would advise the Commission whether the Public Hearing will be held in the Assembly Chambers or will be moved back to the Commission's office.

Mr. Weiner reported that he had sent photocopies of the 1982 Annual Report to the legislative leadership on Friday, April 29 and that the text is now at the printer's.

Mr. Weiner reported that he has conferred by telephone with Greg Stevens, the new Chief of Staff for the Governor and will set up an appointment in the near future.

Mr. Weiner reported that ELEC may be one of the data processing programs to receive funds from the proposed \$20 million "superfund" proposed by the Governor in his budget.

Mr. Weiner reported that the Attorney General's office had recommended ELEC for two pieces of word processing equipment. Mr. Weiner said that the Commission's FY83 budget will be able to pay for 60 to 70 percent of the cost of the equipment from accrued savings and that ELEC has been promised some help from the Attorney General's office for the remainder.

Mr. Weiner said that former Attorney General Zazzali is discussing the lobbyist report with former Attorneys General and some are considering publicly expressing their support.

7. Executive Session

On a motion by Commissioner Waugh, seconded by Commissioner Proctor and a vote of 3-0, the Commission voted to resolve to go into Executive Session to review the Executive Session minutes of April 11, 1983 and to discuss investigations and enforcement actions, the results of which will be made public at their conclusion.

8. Adjournment

After returning to Public Session, on a motion by Commissioner Waugh, seconded by Commissioner Proctor and a vote of 3-0, the Commission voted to adjourn.

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SCOTT A. WEINER
Executive Director