



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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PUBLIC SESSION MINUTES

JUNE 1, 1989

All of the Commissioners and senior staff were present.

Chairman Bedford called the meeting to order and announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-8 et seq., 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 10:22 a.m. at the Montclair Municipal building, Montclair, New Jersey.

1. Public Hearing on Coordinated Expenditures Regulations

The public hearing was recorded by a court reporter. A transcript of the proceedings will be made available to the public.

Mr. Scott Weiner, Treasurer of the Florio for Governor Committee, Mr. Angelo Genova, Counsel to the Florio for Governor Committee, and Mr. Steven DeMicco, Director of the Democratic State Committee Assembly Campaign '89 Committee attended the public hearing and spoke on behalf of a proposal by the Florio campaign which would add direct mail and get-out-the vote programs to the volunteer activity allowable under the Commission's proposed coordinated expenditures regulations.

The Commission asked Legal Director Nagy to draft proposed additional language to the coordinated expenditures regulation which would exclude from allocation get-out-the-vote efforts which are truly voluntary in nature and which would be carried out within 6 days of the election. He was also asked to include language that would permit direct mail with limited reference to the gubernatorial candidate to be excluded.

Legal Director Nagy set forth the schedule for adopting the coordinated expenditures regulation and for the possible adoption of the proposed additional regulatory language. He said that the comment period on the current proposal would expire on June 14, 1989. Legal Director Nagy said the final adoption of the current proposal could take place at the June 16, 1989 meeting and that the repropoed additional language could be approved for publication as a proposal at that same meeting, with final adoption scheduled for September 15, 1989. He said that this procedure is required under the rules of the Office of Administrative Law because the change proposed by the Florio campaign is substantial and not merely technical.

2. Approval of Public Financing General Election Regulations

On a motion by Commissioner Axtell, seconded by Commissioner Linett and passed by a vote of 4-0, the Commission approved the final adoption of the Public Financing General Election Regulations, excepting N.J.A.C. 19:25-15.29, Coordinated Expenditures, which will be considered on June 16, 1989.

Commissioner Axtell asked why only representatives of the Florio and Assembly Democratic campaigns were attending the public hearings on the proposed regulations. He said that it would be good to hear the views of other candidates, both Republican and Democratic.

Counsel Farrell suggested that when requests for regulatory changes are received by the Commission, other interested parties should be advised of their contents. He said that this policy has been in place for advisory opinions, so why not for proposed changes to the regulations.

Chairman Bedford directed staff to advise interested parties of proposals made for amending the regulations.

On the suggestion of Vice Chairman McNany, the Commission decided to hold its next meeting on June 16, 1989 at the Maplewood Borough Hall at 10:00 a.m. Also, Vice Chairman McNany suggested that Commissioner Axtell should be able to attend this meeting, since he will not be moving to Florida until June 20, 1989.

3. Planning for the 1989 General Election

Director Massar provided a planning calendar for the 1989 general election public financing program. The calendar included potential meeting dates, submission dates, and the September 1, 1989 qualification deadline for publicly-funded candidates.

The Commission approved the planning calendar for the 1989 general election public financing program.

4. Independent Primary Election Public Financing Audit

The Commission authorized Director Massar to prepare bid solicitations in order to obtain an accounting firm to undertake an audit of bank accounts and the transactions of the eight candidates participating in the primary election public financing program.

5. General Election Debate Application Form

Director Massar presented the application form to be sent to potential sponsors of the debates in the general election.

On a motion by Commissioner Linett, seconded by Vice Chairman McNany and passed by a vote of 4-0, the Commission approved the debate sponsor application form and questionnaire for the general election.

Chairman Bedford said that the Commission should consider advising the Legislature that the requirement that a sponsor must have sponsored two statewide television debates in order to qualify for sponsorship of the public financing debates is too limiting.

Executive Director Herrmann said that he agreed with the Chairman but that the situation would be eased somewhat in the shortrun from the standpoint that the Commission is accumulating a list of the organizations which will have met these requirements by virtue of their experience this year.

Chairman Bedford commended Director Massar on the excellent job she did administering the public financing program in the primary election.

6. Meeting Schedule

The Commission scheduled the following meetings in addition to the one on June 16, 1989, at the Maplewood Municipal Building, 10:00 a.m.: July 18, 1989, Trenton, 9:30 a.m., and August 15, 1989, Trenton, 9:30 a.m. The Commission cancelled the July 6, 1989 meeting.

Director Massar noted that "thank you" letters will be sent to the sponsors of the primary election debates.

.. Adjournment

On a motion by Commissioner Axtell, seconded by Vice Chairman McNany and passed by a vote of 4-0, the Commission voted to adjourn at 11:55 a.m.

Respectfully submitted,



FREDERICK M. HERRMANN, PH.D