

MINUTES OF COMMISSION MEETING

December 4, 1975

PRESENT

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

ABSENT

Herbert Alexander, Consultant

Meeting convened at 10:00 a.m.

- 1) Mr. Farrell reported on the status of civil penalties enforcement. Discussion was held with respect to fines which had been imposed by the Commission, but not yet paid. The Commission suggested that a listing of dates and amounts of fines imposed be submitted for future reference. Counsel was directed to proceed with enforcement in the appropriate court. Counsel was directed to give a status report at the January 8, 1976 meeting.
- 2) The Executive Director reported on the status of Somerset County matters. Mr. Norcross submitted a written report to the Commission. Mr. Reiche suggested revision of the memorandum, and asked Mr. Farrell to write the letter before the weekend. Mr. Reiche suggested that the Executive Director report to the Commission with respect to alleged filing oversights in connection with a refunded bank contribution and place it on the December 18, 1975 agenda.
- 3) Alan Rehling - Complaint #C-30-75(School Board); C-71-75 (General Election-1974); C-72-75 (Municipal Election - 1975)
The Commission accepted the Hearing Officer's Report after considering exceptions filed by Counsel for the Respondent. Mr. Rehling was a candidate for three elections - School Board, 1974; General Election, 1974; and Municipal Election, 1975. The Commission found grossly negligent and repeated violations of the Act and imposed a fine of \$50 for each of three violations. Motion, Goldmann; second, Reiche - Vote 4-0.
- 4) Mr. Farrell reported on the status of N.J. State Chamber of Commerce, et al. v. N.J. Election Law Enforcement Commission, et al. and advised that he had met with Bill Singer and Mrs. Conley. At the meeting it was decided to consolidate three separate appeals.
- 5) Commission vs. Republican Finance Committee, Anthony Scala, Joseph Intile (C-23-74)
The Hearing Officer's recommendations were discussed and the response to Mr. Kobin's exeptions. Mr. Farrell was directed to draft a Resolution embodying the Commission's discussion and to present it on December 18, 1975.

- 6) Commission vs. Starner C-06-75
This matter will be placed on the agenda for December 18, 1975.
- 7) Commission vs. Gilroy - The complaint drafted by Mr. Farrell is to be submitted at the December 18, 1975 meeting.
- 8) The report from the Executive Director on the Essex Grand Jury matter is deferred to the December 18, 1975 meeting.
- 9) The Election Law Revision Commission recommendations were placed on the agenda for the December 18, 1975 meeting.
- 10) The Executive Director reported on the status of the Nero matter.
- 11) Draft Opinions, #'s 0-14, 16, 28, 29 and 34 are to be discussed on December 18, 1975.
- 12) Proposed Revisions of Regulations 19:25-12.2 (Testimonial Affairs and 19:25-7.8 (Separate, Segregated Campaign Account)). Proposed revisions were approved by the Commission in accordance with the Administrative Procedures Act and were published in the November 3, 1975 edition of the N.J. Register. It was indicated at this time that the proposed revisions would be on the Commission Agenda for November 19, 1975 and public comment would be made at that time. The Executive Director noted that one was present at that time and that no public comment was made.
 - (1) Proposed revision to regulation 19:25-12.2 - To delete subsection c. in its entirety. There are no proposed changes to the revision. On Motion by Alexander seconded by Goldmann, the Commission adopted the proposed regulation by a vote of 4-0.
 - (2) Proposed Revision to regulation 19:25-7.8 - Remove may and insert shall and also insert "separate, segregated" before campaign account. There are no proposed changes to the revision. On Motion by Margetts, seconded by Alexander, the Commission adopted the proposed regulation by a vote of 4-0.

Respectfully submitted,


DAVID F. NORCROSS
Executive Director