

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

MINUTES

April 15, 1976

PRESENT

NONE

Frank P. Reiche, Chairman
*Sidney Goldmann, Vice-Chairman
Josephine S. Margetts, Member
Archibald S. Alexander, Member
Herbert Alexander, Consultant
Edward J. Farrell, Legal Counsel
Lewis B. Thurston, III, Executive Director

(*Judge Goldmann attended from approximately 12:45 until 4:45 p.m.)

The meeting convened at 10:20 a.m.

Pursuant to the Open Public Meetings Law, P.L.1975, c.231, annual notice of the meetings of the Commission was filed with the Secretary of State's office, copies posted in the State House Annex, copies were mailed to the Newark Star Ledger and the Philadelphia Bulletin and the entire State House press corps.

- 1) Minutes of the April 1, 1976 meeting were approved as amended.
- 2) Ricci vs. Sr. Citizens Fed Up With Byrne Democrats, C-327-75
On motion of Commissioner Alexander, seconded by Chairman Reiche, the Commission amended the complaint to delete Lewis Smith as a respondent and add Tony Chinnici, Lawrence Pepper and Phillip L. Lipman as respondents as recommended by the trial counsel, Richard Conley. Vote 3-0 (Commissioner Goldmann absent). The Executive Director reported that he had contacted the hearing officer requesting the hearing officer to ensure that there was no undue delay by the respondents regarding the scheduling of the hearing.
- 3) ELEC Candidate Information Sessions
The Executive Director reported that he and other members of the staff conducted two such sessions for candidates for the May 11 municipal election. They were held on April 12 at the Holiday Inn in Atlantic City and on April 13 at the Ramada Inn in Clark. The attendance was disappointing (approximately 15 candidates attended each session) but the Commission agreed that such sessions are an important part of ELEC's education function. Mr. Thurston indicated that 3 regional sessions are planned for candidates in the primary election and anticipated similar sessions prior to the general election.
- 4) Additional Hearing Officers
Mr. Farrell reported that Charles Armbruster and Michael Wilner are interested. Mr. Reiche indicated that Alan Porter would be available on occasion for single cases. The Commission agreed to use their services.

5) Advisory Opinions

All of the following draft opinions were approved by the Commission without dissenting votes:

1975

#s 33 & 34 - Assemblyman John Spizziri; TV & other appearances

1976

- 1 - Arthur Buehrer, Sussex Dem. treasurer; journal ads draft amended to indicate ELEC sending copy of A to AG for information purposes.
- 2 - John Tomasin; various questions; draft amended
- 3 - Stephan Lavov - Citizens Comm for Joseph Lazarow; draft amended
- 4 - Frank Patti; Mun. clks certifying municipal elections; draft amended as in #1
- 5 - Assemblyman Gus Rys; use of leftover campaign \$; draft amended as in #1
- 6 - Richard Cunningham; Buckley re expenditure limits
- 7 - Rose Ann Picone; Buckley re expenditure limits
- 8 - Gerlad Lardiere; restrictions on spending
- 9 - Bennett Herman; campaign expenditures
- 10 - Harvey Hellings (Lawrence Dems) - dinner dances committee
- 11 - Anthony Speziali; fire commission election; draft amended as in #1
- 12 - R.A. Mildred Feldt; municipal election; draft amended as in #1
- 13 - John Kroeger; Friends of Sheriff Fox Committee; draft amendment
- 14 - Suzanne Zimmer; charter study election

6) Warner vs. West Long Branch Rep. Committee, C-314-75

Commission approved motion by Commissioner Alexander to dismiss the complaint in regard to all allegations except that regarding the possible obligations of the Columbia Club to report its activities as a political committee. ELEC staff was directed to pursue the inquiry re the Columbia Club and also indicate to Mr. Warner that if he has specific information about 1975 activities alleged to be in violation he should submit it to ELEC.

7) Discussion of Disposition of 1975 Late Filers for Primary & May Municipal Elections

The Commission voted 3-1 (Commissioner Alexander dissenting) to go into executive session to make dispositions of a number of cases involving late filing for the 1975 primary and May municipal elections. This was done pursuant to C.10:4-12(9) of the Open Meetings Law. The Commission discussed the disposition of the cases listed on the attached sheet. At the conclusion of the discussion, the Commission voted 4-0 to return to public session and then voted on the disposition of each

case in the public session.

8) Ostrander vs. ELEC

Mr. Farrell reported that the judge in this action filed against ELEC refused to find the expenditure limitations section of the N.J. Campaign Contributions and Expenditures Reporting Act to be unconstitutional in general, but ruled that the Act's expenditure limitations are not applicable to Mr. Ostrander.

9) Investigations & Personnel Matters

The Commission voted to go into executive session to discuss matters under investigation and a personnel matter. This was done pursuant to C.10:4-12(6) and C.10:4-12(8) of the Open Meeting Law.

At the conclusion of the discussion, the Commission voted to return to public session.

10) Governor's Club

The Executive Director reported that newspaper stories indicated a planned Governor's Club fund-raising activity for April 23, 1976. It was agreed that the staff should continue to keep informed about the activity but not to contact the sponsors about it at this time.

11) Remaining Agenda Items - deferred until next ELEC meeting

12) The meeting was adjourned at 4:45 p.m.

Respectfully submitted,



LEWIS B. THURSTON, III
Executive Director