

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

MINUTES - July 1, 1976 MEETING

PRESENT

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

The meeting convened at 10:00 a.m.

Pursuant to the Open Public Meetings Law, P.L. 1975, c.231, annual notice of the meetings of the Commission (as amended from time to time) 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. Convention Delegates

Mr. Thurston reported that an opinion on the delegate question had not yet been rendered by the Federal Election Commission pursuant to the ELEC's request. It was agreed that if no word on this matter was received from the FEC by July 9 that the Executive Director should again contact the FEC to attempt to expedite the rendering of an opinion.

2. Commission vs. Essex County Democratic Committee et al, C-14-76

Pursuant to C.10:4-12 of the Open Meetings Law, the Commission went into executive session to discuss the manner of proceeding with this matter and the next case, Commission vs. Carl Madsen C-23-75.

3. Commission vs. Carl Madsen, C-23-75

Commissioner Alexander and Mr. Thurston, who did not participate in the determination of this matter, left the room. The Commission considered this matter, reviewed a draft of a decision prepared by the counsel, returned to public session and issued the order attached herewith, finding 4 violations and imposing a total fine of \$500 therefor. On motion of Vice-Chairman Goldmann, seconded by Chairman Reiche. Vote 3-0 (Commissioner Alexander not participating).

4. ELEC Meeting Schedule

The Commission agreed to cancel the meetings scheduled for September 2, 1976 and December 2, 1976, and schedule a meeting for September 23, 1976. It further agreed to hold open December 20, 1976 as a possible meeting date, if necessary. The staff was directed to issue the appropriate notice of these changes to comply with the Open Meetings Law.

5. Annual Conference

It was agreed that the Commission should be represented at the annual conference on the Public Official and the Public Trust, sponsored by the National Municipal League, to be held December 1-3 in San Francisco, California. The Commission agreed to have the Chairman, Executive Director and Counsel attend to represent the Commission. It was further agreed to have the Executive Director suggest to the sponsors of the conference that they consider some or all of the following subjects for panel discussions for Commission members: compliance procedures; political activity, full time or part-time service, and compensation of Commission members; and procedures for disposition of routine vs. more significant cases.

6. Revision of Forms

The Executive Director presented a number of suggested changes in the Commission's forms for use in the 1976 General Election, including: substitution of an oath for the notarization requirement on the A-1 and R-1, a new form C-1 for candidates who file A-1's to report contributions in excess of \$100, elimination of the expenditure limitation references, rearrangement of the forms for clarity, and inclusion of candidate and treasurer telephone numbers. The Commission approved the changes after discussion of their merits.

7. Consultant Contract

Herbert Alexander left the meeting for the day prior to consideration of this matter. The Commission indicated it was very satisfied with the services of its consultant, Herbert Alexander, and voted to extend its contract with him for the fiscal year 1976-77 at the same annual compensation of \$20 per hour up to a maximum of \$2500 annually, subject to the approval of the Treasury Department. Vote 3-0 (Commissioner Alexander not participating).

8. Commission vs. Essex County Democratic Committee, C-03-75

On motion of Commissioner Margetts, seconded by Commissioner Alexander, the Commission voted 3-0 (Vice-Chairman Goldmann absent) to admonish the Essex County Democratic Committee for a technical violation of sections 8 and 22 of the Act for failing to file timely its 1973 annual report.

This matter is unrelated to the recently-filed complaint of the Commission against this Committee in C-14-76.

9. Commission vs. Clementon Democratic Club C-334-75

Pursuant to C.10:4-12 of the Open Meetings Law, the Commission went into executive session to discuss the disposition of this matter. Upon the conclusion of the discussion, the Commission returned to public session.

On motion of Chairman Reiche, seconded by Vice-Chairman Goldmann, the Commission found the Clementon Democratic Club guilty of a negligent violation of section 10 of the Act for failing to appoint a campaign treasurer and designate a campaign depository for the 1974

General Election, reprimanded the Club for said violation and directed full compliance in the future. Vote 4-0.

10. Vice-Chairman

The Commission voted 3-0 (Commissioner Goldmann abstaining) to reelect Commissioner Goldmann as Vice Chairman of the Commission.

11. Commission vs. Kenneth Butko, C-317-75

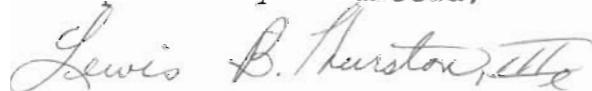
Pursuant to C.10:4-12 of the Open Meetings Law the Commission went into executive session to discuss the disposition of this matter. Upon the conclusion of the discussion, the Commission returned to public session.

On motion of Commissioner Alexander, seconded by Commissioner Margetts, the Commission found Mr. Butko guilty of a negligent violation of sections 16 and 22 of the Act for failure to file a 7-day report for the 1975 General Election and imposed a fine of \$100. Vote 4-0.

12. Adjournment

The Commission adjourned the meeting at 2:55 p.m.

Respectfully submitted,



LEWIS B. THURSTON, III
Executive Director