

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

MINUTES - July 15, 1976 Meeting

Present

Absent

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

Herbert Alexander, Consultant

The meeting convened at 10: 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 States office, copies posted in the State House Annex, copies mailed to the Newark Star Ledger and the Philadelphia Bulletin and the entire State House Press Corps.

1. ELEC Annual Report

The draft prepared by the Executive Director was discussed at length and in some detail and a number of changes agreed upon. It was further agreed that the members of the Commission would review the draft more thoroughly over the next few days and submit their suggested changes to Chairman Reiche.

2. Commission vs. R.A.M. Associates	C-303-75
Commission vs. Robert Malagna	C-300-75
Commission vs. Charles J. Gilroy	C-02- 76
<u>Commission vs. Alexander Haak</u>	<u>C- 298-75</u>

Pursuant to C.10:4-12 of the Open Meetings Law the Commission went into executive session to discuss the disposition of these matters. After returning to public session it was agreed to defer consideration of these cases until the next Commission meeting to give the Commission members an opportunity to review the transcripts of the public hearings.

3. ELEC Meeting Schedule

The Commission agreed to meet on July 30, 1976, instead of July 29, 1976, as tentatively scheduled. The staff was directed to give appropriate notice to comply with the Open Meetings Law.

4. Roggio vs. Gloucester Township Democratic Comm. et al,
C-20-75

On July 1, 1976, the Commission agreed to file a complaint in this case and assigned Alan Porter as hearing officer. Because Mr. Porter is unavailable for this assignment, the Commission assigned the case to hearing officer Harold Wells.

5. Commission vs. John Biehl

It was agreed that this case, which relates to Roggio vs. Gloucester Township Democratic County Comm., et al should be reassigned from hearing officer Barry Osmun to hearing officer Harold Wells.

6. Commission vs. Camden County Democratic Committee

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

On motion of Vice-Chairman Goldmann, seconded by Chairman Reiche, the Commission found the Camden County Democratic Committee guilty of gross negligence in violating the N. J. Campaign Contributions and Expenditures Reporting Act in failing to file 25 day and 7 day pre-election reports and failing to file timely a 15 day post-election report (it was due on November 20, 1974, but filed on December 12, 1974 only after ELEC had contacted the Committee directly about it) for the 1974 General Election and imposed a fine of \$750 on the Committee (\$250 for each violation).

The Commission also found the Camden County Democratic Committee guilty of a negligent violation of the Act for late filing of the organization's annual report for 1973, which was due on March 15, 1974 but filed on July 1, 1974, and imposed a fine of \$25 for said violation.

This is the first case to come before the Commission involving non-filing by a county political party organization of campaign reports in a general election. In this case the Committee expended \$50,489.56 in the election effort, but filed no pre-election reports. The Commission considers this a serious violation of the law and intends to be especially vigilant in its enforcement of the law in regard to such violations involving major political organizations expending substantial sums.

7. NCPAC

The Executive Director reported that not all of the information requested of NCPAC has been provided. It was agreed to send a letter from the Commission Chairman directing NCPAC to provide the information immediately and, if it is not forthcoming, the Commission will consider the matter without it. Mr. Thurston further reported that the questions about a \$200 contribution from NCPAC to "Fischer-Havey for Assembly" had been resolved. Apparently the treasurer of the Ocean County Republican Finance Committee mistakenly reported the contribution as a contribution from "Roger Lane" of Toms River because he misread the signature on the check. All parties, including Mr. Lane, were contacted and the staff recommended that no further action in this matter is necessary.

The Commission directed the Executive Director to write to NCPAC and former candidates Fisher and Havey informing them that the question raised about the reporting of the contribution has been resolved to the Commission's satisfaction and no further action will be taken by the Commission in regard to it.

8. Commission vs. Haledon Democratic Club

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

On motion of Vice-Chairman Goldmann, seconded by Chairman Reiche, the Commission found the Haledon Democratic Club guilty of negligent violations of the Act for (1) failure to designate a treasurer and bank depository for the year 1974; (2) failure to designate a treasurer and campaign depository for the year 1975; and (3) failure to file an annual report for 1974 which was due on March 1, 1975. The Commission reprimanded the Club for the first-listed violation, imposed a fine of \$25 for the second-listed violation and a fine of \$50 for the third-listed violation. Vote 4-0

9. Gridley vs. Middletown Township Democrats

Pursuant to c.10:4-12 of the Open Meetings Law the Commission went into executive session to consider this matter. At the conclusion of the discussion the Commission returned to public session.

10. Adjournment - The meeting was adjourned at 4:00 p.m.

Respectfully submitted,



Lewis B. Thurston, III
Executive Director