

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

MINUTES - April 27, 1977 Meeting

PRESENT

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

The meeting convened at 10:15 a.m.

Pursuant to the Open Public Meetings Law, P.L. 1975, c.231, annual notice of the meetings of the Commission, as amended, was filed with the Secretary of State's office, copies were 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. Hearing on Proposed Regulations on Public Financing of Gubernatorial General Elections

The first part of the meeting was devoted to a public hearing on the Commission's proposed regulations 19:25-15.35, 19:25-15.36 and 19:25-15.37. A representative of the gubernatorial campaign of Thomas Kean attended and asked one brief question. A representative of Common Cause attended as an observer. Counsel responded in regard to the question from Mr. Kean's representative. The Chairman indicated that the proposed regulations will be published in the May edition of the New Jersey Register and that the earliest date on which they may be adopted is May 25.

2. Minutes of Commission Meeting

The Commission approved with changes the draft of the public and executive session minutes of the April 6 and April 18 meetings.

3. Investigations

Pursuant to C.10:4-12 of the Open Public Meetings Law, the Commission went into executive session to discuss certain matters relating to investigations. At the conclusion of the discussion of these matters, the Commission returned to public session.

4. Certification Procedure and Forms for Public Financing of Gubernatorial General Elections

Mr. Upmeyer reviewed his draft outline of such procedures and forms with the Commission. He summarized the general certification procedure. An extensive discussion ensued as to who the final authority would be regarding certification of eligible amounts for each candidate to the State treasurer. At the conclusion of the discussion, the Commission agreed that it would be the entity which would certify and finally approve the amounts which each candidate would be eligible to receive. It

was further agreed that the completed staff document indicating the staff recommendations for such amounts would be made available to each of the Commission members immediately after it is prepared. If for any reason a majority of the Commission members are not available to make the certification and approval, the executive director would be empowered to do so subject to ratification of such action at the next Commission meeting by the Commission.

5. E.L.E.C. Schedule for 1977

Because of the need for the Commission to approve and certify the eligible amounts to the candidates for public financing in the period from June through October, the Commission agreed upon the following revised schedule of meeting dates during that period:

Regular meeting dates

June 1, June 20
July 5, July 18
August 1,
September 12, September 19
October 3, October 17, October 31
November 7

Certification Dates

June 20
July 5, July 18
August 1, August 15, August 29
September 12, September 19, September 26
October 3, October 11, October 17,
October 24, October 31.

6. Report on Ethics Commissions Meeting in Chicago

Chairman Reiche reported on a meeting held in Chicago on April 24 and 25 of representatives of various kinds of ethics commissions from many of the states to discuss the desirability and feasibility of setting up a permanent organization of such commissions and other related entities. The group includes agencies which administer campaign financing, personal disclosure, conflict of interest and other such laws. Chairman Reiche and Executive Director Thurston represented the Commission at the meeting. Mr. Reiche served as chairman of the meeting. The Chairman and the Executive Director reported that the meeting was successful and significant steps toward developing an ongoing organization in the future and planning the agenda of the December annual meeting of the group were taken.

7. Investigations

Pursuant to C.10:4-12 of the Open Public Meetings Law, the Commission went into executive session to discuss a matter under investigation. At the conclusion of the discussion, the Commission returned to public session.

8. Advisory Opinions

The Commission approved, after discussion and with some changes, drafts of the following advisory opinions:

0-09-77 (Assemblyman Louis Bassano)
0-05-77 (John Zaleski, Linden City Democratic Club)
0-11-77 (Ronald DeFilippis, Robert Sarcone Campaign)
0-14-77 (Mrs. Jay Danish)

All of the above-cited opinions were approved by a vote of 4-0.

Counsel was directed to redraft opinion 0-07-77 (Michael Kingman, Woodcock campaign) and 0-08-77 (Robert Kaufman) for consideration at the May 4 meeting. It was also agreed that opinions 0-06-77 (William Cossaboon) and 0-12-77 (Midlantic Bank) be held for consideration at the May 4 meeting.

9. Adjournment

The Commission adjourned the meeting at 4:50 p.m.

Respectfully submitted



LEWIS B. THURSTON,
Executive Director