

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

MINUTES - August 25, 1977 Meeting

PRESENT

Frank P. Reiche, Chairman
Sidney Goldmann, Vice-Chairman

Archibald S. Alexander, Member
Lewis B. Thurston, III Executive Director
Edward J. Farrell, Legal Counsel
Herbert Alexander, Consultant
Neil Upmeyer, Director of Public Financing

ABSENT

Josephine S. Margetts, Member

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.

The meeting convened at 10:15 a.m.

1. Advisory Opinion Request 0-32-77 (Treasurer of Campaign of Frank Flowers, Independent Candidate for Governor)

After discussion, the Commission agreed on the substance of opinion and directed counsel to redraft the last paragraph of his draft opinion to deal with "special circumstances".

2. Commission vs. Ostrander, et al

The Commission agreed to designate Theodore Adourian as the hearing officer in this matter and I. Leo Motiak as presenting attorney in this matter, subject to their availability. The Commission also agreed on a number of substitutes for each of them in case they are not available.

3. ELEC Schedule

The Commission discussed the schedule of Commission meetings from now until the end of the year and possible difficulties with some of the dates conflicting with other Commission activities (budget submission, court appearances for Commission by counsel, etc.) It was agreed that the present schedule would be retained but with the possibility of changing the December 7 meeting to December 9 after discussion of the possible change with Commissioner Margetts.

4. Report by Executive Director

The executive director reported that a number of communications from independent candidates indicating that they had not received any contributions in excess of \$600 had been

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received by August 19 pursuant to Commission direction. He also reported on Commission activity and preparing for a receipt of statements to be sent to the registered voters from the gubernatorial candidates and the forwarding of such statements to the county clerks. Additionally, he reported regarding interviews for the position of staff counsel. Finally, he outlined the anticipated schedule required for Commission consideration of the budget for the Commission for fiscal year 1978-79.

5. Staff Counsel Position

The executive director indicated that he and counsel had interviewed a number of candidates for the position. It was agreed that the Chairman and Vice-Chairman would review the list of applicants' resumes immediately and discuss the matter with the executive director and counsel.

6. Approval of Minutes of Commission Meeting of August 15, 1977

On a motion by Commissioner Alexander, seconded by Vice-Chairman Goldmann, the Commission voted 2-0 to approve the minutes of the public session of the Commission held on August 15, 1977. Chairman Reiche did not attend that August 15 meeting and therefore did not vote.

On a motion by Vice-Chairman Goldmann, seconded by Commissioner Alexander, the Commission voted 2-0 to approve the minutes of the executive session of the Commission meeting on August 15, 1977. Chairman Reiche, who did not attend the August 15 meeting, did not vote.

7. Late Filing Cases from 1975 General Election

Pursuant to the Open Public Meetings Law, P. L. 1975, c.231, the Commission went into executive session to discuss the determinations of a number of such cases. It is anticipated that a public vote on these determinations will be made later in this meeting. Upon conclusion of the discussion, the Commission returned to public session.

On a motion by Vice-Chairman Goldmann, seconded by Chairman Reiche, the Commission voted 3-0 to take the following determination in each of the cases indicated on the attached sheet.

8. Adjournment - The Commission adjourned the meeting at 4:00 p.m.

Respectfully submitted,



LEWIS B. THURSTON, III
Executive Director