

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

MINUTES - December 21, 1977

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. ELEC vs. Gloucester Township Democratic Committee, et al, C-20-75  
ELEC vs. John Biehl et al, C-301-75

Pursuant to C.10: 4-12 of the Open Public Meetings Law, the Commission, on a motion by Chairman Reiche, seconded by Vice-Chairman Goldmann and a vote of 3-0, went into executive session to discuss the determination of this matter. It is anticipated that the determination will be made public immediately after it is made. At the conclusion of the discussion, the Commission returned to public session. After a brief discussion of some of the allegations of the complaints, the Commission deferred final action on this matter until its next meeting on January 4, 1978.

2. Approval of Minutes of Commission Meeting of December 9, 1977

On a motion by Commissioner Alexander, seconded by Vice-Chairman Goldmann, the Commission voted 3-0 to approve the minutes of the public session of the Commission on December 9, 1977.

3. Approval of Executive Session Minutes of Commission Meeting of December 9, 1977

Pursuant to C.10:4-12 of the Open Public Meetings Law, the Commission went into executive session on a motion by Commissioner Alexander, seconded by Chairman Reiche and a vote of 3-0, to discuss and approve the minutes of the executive session of the Commission meeting of December 9, 1977.

4. New Jersey Chamber of Commerce, et al vs. ELEC, et al

The Commission remained in executive session to discuss this case currently in litigation. At the conclusion of the discussion, the Commission returned to public session.

5. Gubernatorial Inaugural Activity

The executive director reported on the latest contacts the staff had with officials of the Byrne Inaugural Committee concerning the inaugural activities. The Commission's discussion of this matter at its last meeting was reviewed. A brief discussion ensued.

6. Advisory Opinion Requests from Robert Raymar Re \$48,000 Anticipated Surplus Funds for Byrne General Election Campaign, 0-46-77

The Commission's discussion of this matter at its last meeting was reviewed. After an extensive discussion, the Commission reiterated its view that the \$40,000 threshold expenditures of gubernatorial candidates participating in public financing are considered as monies used by the candidate to obtain matching funds under N.J.A.C. 19:25-15.37 and, therefore, may not be used to pay primary debts or be returned to contributors but must be returned to the State.

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

Respectfully submitted,

LEWIS B. THURSTON, III  
Executive Director