

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION
PUBLIC SESSION MINUTES
April 12, 1978 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
Gregory E. Nagy, Staff Counsel
Herbert Alexander, Consultant
*Neil Upmeyer, Director of Public Financing

ABSENT

Josephine S. Margetts, Member

*Attended part of meeting related to public financing

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. Public Financing Policy Questions

Chairman Reiche recognized Lucy MacKenzie, executive director of Common Cause in New Jersey, who spoke briefly indicating that Common Cause was in general agreement with tentative conclusions of the Commission concerning public financing expressed at the Commission's last meeting. She complimented the Commission for the discussion of the subject.

The Commission then continued its discussion of public financing policy questions to which the Commission's last meeting was devoted. The subjects discussed included, for both the primary and general elections for Governor, contributions limit, qualification threshold, amount of public funds match and match ratio, expenditure limits and ceilings on public funds, limits on a candidate's own funds, loan limits and endorsements of loans, and permissible uses of public funds. The Commission agreed in principle to recommend for each gubernatorial primary and gubernatorial general election a \$600 limit on contributions, a \$25,000 limit on a candidate's expenditure of his or her personal funds, a \$40,000 qualification threshold for public funds, a 2 for 1 matching by the State of funds raised by candidates and submitted for match, a limitation on the amount of public funds available for distribution, and a \$50,000 loan limitation. The Commission also indicated that should any elements of this recommendation be omitted from the final legislative proposal, it would want to review its entire recommendation, including the possibility of reimposing some overall expenditure limitation upon candidates.

It was agreed that this consensus and the thoughts expressed by Commission members at its meetings on March 22 and April 12 would be conveyed by the chairman and executive director to Assembly Majority Leader Albert Burstein, sponsor of the legislation to expand public financing to gubernatorial primary elections (Assembly Bill No. 1 of 1978). This consensus and Commission thoughts also will be included in the Commission report to the Governor and the Legislature evaluating the public financing experience.

The Commission then briefly discussed the general format of the public financing report and a schedule for Commission consideration of a staff draft to be produced.

2. Future Location of E.L.E.C. Offices

The executive director indicated that the facilities officer in the Attorney General's office had requested the executive director of the Commission to inform her as to whether the Commission was interested in relocating its offices to the new Justice Complex to be constructed at the corners of Market and Warren Streets in Trenton to house major elements of the Department of Law and Public Safety. The executive director outlined the merits of continuing in the present location and advantages and disadvantages in relocating to the Justice Complex. After discussion, the Commission unanimously agreed that the Commission could best fulfill its mission by continuing to locate its offices in the present facility in the future. The executive director will communicate this decision to the Attorney General's office.

3. 1976 Annual Report of Election Law Enforcement Commission

The Commission reviewed a draft of this report prepared by the executive director, made a number of amendments to it and approved the form & substance of the amended version for publication. The format for the 1977 Annual Report was discussed and a number of suggestions made for new substance and format revision.

4. Advisory Opinions

The Commission reviewed, amended and approved drafts prepared by counsel of the following advisory opinions:

0-17-78 (Howard Woolley, Jr.)
0-18-78 (Michael S. Richmond, Esq.)
0-19-78 (Assemblyman H. James Saxton)

5. Approval of Minutes of March 22, 1978 Commission Meeting

On separate motions made by Commissioner Alexander and seconded by Chairman Reiche, the Commission voted 2-0 to approve the public session and executive session minutes of the Commission meeting on March 22, 1978. Vice-Chairman Goldmann abstained on both votes because he did not attend that meeting.

6. Investigative Matter

Pursuant to C.10:4-12 of the Open Public Meetings Act, the Commission went into executive session to discuss a current investigative matter on a motion by Commissioner Alexander, seconded by Chairman Reiche and a vote of 3-0. At the conclusion of the discussion, the Commission returned to public session.

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

Respectfully submitted,

A handwritten signature in dark ink, reading "Lewis B. Thurston, III". The signature is written in a cursive style with a horizontal line at the end.

LEWIS B. THURSTON, III
Executive Director