

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

September 20, 1978 Meeting

PRESENT

Frank P. Reiche, Chairman
Sidney Goldmann, Vice-Chairman
Archibald S. Alexander, Member
Lewis B. Thurston, III, Executive Director
Edward J. Farrell, Esq., General Legal Counsel
Gregory E. Nagy, Esq., Staff Counsel

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, has been filed with the Secretary of State's office, copies posted in the State House Annex, copies mailed to the Newark Star Ledger, the Philadelphia Bulletin and the entire State House Press Corps.

The meeting convened at 10:10 a.m.

1. ELEC Fiscal 1980 Budget

The executive director presented the staff recommendations for the Commission's fiscal year 1980 budget which must be submitted to the State Division of Budget and Accounting by September 29, 1978. The request totals \$554,539 compared to the fiscal '79 appropriation of \$373,747. \$91,133 of the increase is for costs associated with the new Commission function of lobbyist regulation which will be needed if a December 1977 Appellate Division decision is affirmed on appeal to the N. J. Supreme Court. After discussion and review of the various elements involved, on a motion by Commissioner Alexander, seconded by Vice-Chairman Goldmann, the Commission voted 3-0 to approve a budget request in accordance with the staff recommendations.

2. Compliance-Enforcement Procedure for 1978 General Election

The executive director and staff counsel indicated to the Commission that the full implemented existing procedure for late filing cases for the 1978 Primary Election was working extremely well. They indicated that in view of this they were reluctant to change for the 1978 General Election to the revised procedure previously considered by the Commission. Accordingly, they recommended that application of the revised procedure be deferred until after the 1978 General Election at which time a more thorough analysis of how successful present procedures have been regarding the 1978 Primary and General Elections would be undertaken. On a motion by Vice-Chairman Goldmann, seconded by Commissioner Alexander, the Commission indicated that the present procedures regarding enforcement for late filing cases would be continued without change until further action by the Commission.

3. Review of Commission Procedures Regarding Collection of Outstanding Fines

The Commission discussed its procedures regarding the collection of outstanding fines. It was generally agreed that an administrative letter would be prepared soon and forwarded to respondents whose fines were outstanding for a substantial length of time. Additionally, it was anticipated that a second administrative letter would be sent in November or December so that administrative action regarding these outstanding fines could be completed by January 1, 1979 and legal action, where necessary and appropriate, could be instituted thereafter to collect such fines.

4. Revision of "Street Money" Regulation of the Commission (N.J.A.C. 19:25-12.1(b))

The executive director indicated that based on the experience with this regulation since its adoption in September of 1977, there appears to be a need for clarification of the language of the regulation relative to the \$100 threshold figure. After a discussion of the basic purposes of the regulation and suggestions for modification of the language, it was agreed that the general legal counsel would redraft the regulation for further discussion at the next Commission meeting.

5. Review of Legislative Proposals - Compensation for Commission Members

The Commission reviewed the question of compensation for Commission members to be included in proposed legislation amending the Campaign Contributions and Expenditures Reporting Act in a comprehensive manner on various aspects. After discussion it was generally agreed that the basis of compensation to be included in the draft legislation would be \$200 for each meeting day of the Commission attended and for the Chairman (or acting Chairman in the absence of the Chairman) \$200 for each meeting day attended plus \$200 for a day's preparation for each Commission meeting. Commissioner Alexander indicated that he believes no compensation for Commission members is appropriate at this time.

6. Executive Session

Pursuant to the provisions of the Open Public Meetings Law, on a motion by Chairman Reiche, seconded by Vice-Chairman Goldmann and voted 3-0, the Commission went into executive session to discuss an investigative matter, a matter involving current litigation, and determination of late filing cases for the 1976 May Municipal Election, the 1976 Primary Election and the 1977 General Election.

7. Late Filing Cases from 1976 May Municipal Election, 1976 Primary Election and 1977 General Election

On a motion by Chairman Reiche, seconded by Commissioner Alexander, and a vote of 3-0 the Commission voted for the determinations indicated on the attached sheets for these late filing cases.

8. Adjournment - the Commission adjourned the meeting at 2:45 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 prominent "L" and "B".

LEWIS B. THURSTON, III
Executive Director

LBT/cm