

MINUTES

COMMISSION MEETING

October 6, 1975

PRESENT

Frank P. Reiche, Chairman
Sidney Goldmann, Vice-Chairman
Archibald S. Alexander, Member
Josephine S. Margetts, Member
David F. Norcross, Executive Director
Edward J. Farrell, Legal Counsel
Herbert Alexander, Consultant

The meeting was convened at 9:40 a.m.

1) 1976-77 Budget

The fiscal 1977 Budget as prepared by staff was reviewed in detail and approved for submission with modifications as to the salary of the Director and Counsel, and a proposal for a new position, Counsel to the Commission. Motion Reiche, second Alexander. Vote 4-0.

2) 1975 Primary Election candidates (Non-filers and late-filers) listed under the category of "dismissals" were held over to the October 17, 1975 meeting for clarification.

3) 1975 Primary Election candidates (Non-filers and late-filers) who had delegated filing responsibility to others were also held over for additional classification and clarification. It was decided by the Commission that a summary sheet of excuses for all categories and classifications should be prepared and presented to the Commission for information as an aid in decision making.

The Summary Report will list: Candidate's name, county/municipality, Office sought, Election/year, Filings: due date/date filed/days late, Hearing Officer's determination, Excuse, Commission action.

4) Mr. Farrell, spoke briefly with respect to the Notice of Appeal in the N.J. State Chamber of Commerce, et al. vs. N.J. Election Law Enforcement Commission, et al. He stated that he had received a partial copy of the transcript (Volume I). The A.C.L.U. case has been put on the inactive list and no further action will be taken at this time.

5) Buckley et als v. Valeo et als.

Mr. Farrell supported joining the California Fair Political Practices Commission in a brief to be filed in the Buckley suit in the United States Supreme Court. The Commission requested a

draft of the Brief for review. It was noted that Mr. Norcross would telephone other state election commissions regarding the draft. Mr. Farrel reported that the Attorney General supported the concept.

- 6) The Director was ordered to issue and cause the service of a subpoena duces tecum on Anthony Imperiale if, by October 16, 1975 at the close of business, records pertaining to outstanding obligations from the 1973 General Election had not been supplied to the Commission as requested. This material is sought in connection with an investigation of filing irregularities, willful failure to file as required by law and expenditures made other than as prescribed by law. Motion by Goldmann, seconded by Alexander. Vote 4-0.
- 7) Denver Conference
The second annual meeting of Commissioners and Administrative Officers of Ethics and Election Commissions will be held December 10, 11 and 12 in Denver, Colorado. The Commission, on Motion of Vice-Chairman Goldmann seconded by Commissioner Alexander, authorized the attendance of the Chairman, the Executive Director and Counsel. Vote 3-0, Chairman Reiche abstaining.
- 8) Commission vs. John Bush (C-66-75)
The Commission determined that John Bush, a candidate for the 1975 May Municipal Election in Marlton, New Jersey, did correctly submit the forms, and accordingly the complaint was dismissed. Motion by Goldmann, seconded by Margetts, Vote 4-0.
- 9) Commission vs. Leonard Coangelo (C-67-75)
The Commission determined that Leonard Coangelo, a candidate for the 1975 May Municipal Election in Marlton, New Jersey, did correctly submit the forms, and accordingly the complaint was dismissed. Motion by Goldmann, seconded by Margetts. Vote 4-0.
- 10) Commission vs. Nancy Fulcher (C-68-75)
The Commission determined that Nancy Fulcher, a candidate for the 1975 May Municipal Election in Marlton, New Jersey did correctly submit the forms, and accordingly the complaint was dismissed. Motion by Goldmann, seconded by Margetts. Vote 4-0.
- 11) Commission vs. William Wooten (C-287-75)
Candidate for the 1975 Primary Election in Bridgeton, New Jersey. Mr. Wooten stated to the Hearing Officer that he did not know of the requirement to file with the Commission for the Primary. The Commission determined that it was a negligent failure to file and that a written admonition should be imposed. Motion by Goldmann, seconded by Margetts. Vote 3-0, Chairman Reiche dissenting.

A motion to reconsider the Wooten matter was introduced by Commissioner Alexander. The motion was seconded by Vice-Chairman Goldmann and passed 4-0. Chairman Reiche then moved, with a second by Commissioner Alexander, that Wooten be reprimanded rather than admonished. Carried 4-0.

12). Commission vs. Ernest Chance (C-240-75).

Candidate for the Primary Election in Carneys Point, New Jersey. Mr. Chance reported that no monies were spent in furtherance of his candidacy. The Hearing Officer recommended that the respondent be admonished for failure to file timely. The Commission determined that it was a negligent failure to file and that a written admonition be imposed. Motion by Goldmann, seconded by Margetts. Vote 3-1, Chairman Reiche dissenting.

A motion to reconsider Chance was introduced by Commissioner Alexander. The motion was seconded by Vice-Chairman Goldmann and passed 4-0. Chairman Reiche then moved, with a second by Commissioner Alexander, that Chance be reprimanded rather than admonished. Carried 4-0.

Meeting adjourned at 4:45 p.m.

Respectfully submitted,


DAVID F. NORCROSS
Executive Director