

SPECIAL COMMISSION MEETING

November 3, 1975

PRESENT

ABSENT

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

NONE

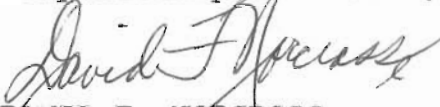
1. National Conservative Political Action Committee (NCPAC).
The Director reported on this Committee and the filing which it had accomplished. It was determined to continue to treat NCPAC administratively. A response to the letter of the Democratic State Committee acknowledging receipt of their most recent correspondence was directed. The Director advised that NCPAC had formed a New Jersey National Conservative Political Action Committee.
2. Monmouth County Republican Committee vs. Morton Salkind (C-313-75).
The Director reported that the complainants had requested an early hearing but that they had been informed that it was administratively impossible to list the matter for hearing earlier than November 7, 1975.
3. Charles W. Sandman
The Director reported that Charles W. Sandman, Republican Candidate for Governor 1973, had filed amended returns indicating those debts which were being challenged by him and that he had executed those amended returns.
4. Anthony Imperiale
The Director reported that Senator Imperiale had supplied the Commission with all of the material which was in his possession and had indicated that this was all of the material available for Commission examination.
5. It was determined that regular meetings would be scheduled for the first and third Thursdays of every month. Specifically for December the dates will be December 4 and 18, 1975. The next meeting was scheduled for November 26, 1975.
6. The Commission turned its attention to consideration of the report of the Election Law Revision Commission; Title 19A.
 - (a) Consolidation of Administrative Control - Centralization of authority in election matters is to be desired. Commissioner Margetts indicated some reservation about one agency which would both enforce and administer and suggested considering the possibility of separate agencies

for administration and for enforcement. After considerable discussion a consensus was established that one agency would be the best approach to the matter. Commissioner Goldmann continued to express a reservation on possible dilution of efforts on campaign financial disclosure if one large agency controlled the entire election field. It was the feeling of the Commissioners that any "umbrella agency" should be restricted to election affairs and not broadened to include ethics, disclosure of personal finances by public officials, and other similar non-election matters.

- (b) Should ELEC be the Administrative Agency? The Commission will consider its position in this regard.
- (c) The Commission discussed the major differences between the present Commission and the Commission envisioned in the report of the ELRC. The discussion focused on composition, duties and compensation for members.
- (d) Composition of the Commission. The Commission supports a four member Commission appointed by the Governor with the advice and consent of the Senate.
- (e) Selection of County Executive Director. The Commissioners suggested amendments to make it clear that the agency would have authority to discharge county executive directors and direct authority to appoint such directors after county boards of election had submitted names; that the director selected need not have been named on the list of suggested directors nor need the agency provide any reason for not selecting a person from the list of suggestions; that such director be paid by the Commission from state funds at a salary set by the Commission; and that the tenure of such director be five years with appointments in four counties to be made each year.
- (f) Authority of the County Executive Director. It is recommended that the authority extend to the "conduct of elections" in addition to the authority provided under proposed Title 19A which provides for the conduct of business and affairs of the county board of elections.
- (g) Selection of County Boards of Election. The Commission expressed reservations as to the method provided in Title 19A for the selection of county boards of election.
- (h) County Clerks. The Commission supports the Election Law Revision Commission's decision to eliminate the role of county clerks in election affairs.

- (i) Municipal Clerks. The relationship of municipal clerks to the county executive director and to the agency should be carefully spelled out. It should be made clear that the agency has authority, by regulation, to control administratively county executive directors and municipal clerks. Municipal clerks should be responsible for election affairs directly to the county executive director.
- (j) Penalties. The Commission considered various alternatives to the present text of sections 21 & 22 of the Act. After discussion the Commission determined to propose revisions in the form attached to these minutes. Commissioner Alexander dissented with respect to the revision of Section 21(c) believing that the authority of the Commission to void elections should be made clear and opposing having the voiding of elections a matter of discretion. Counsel indicated that he favored expanding Commission authority to impose fines for violations of any provisions of the Act rather than having such authority limited to filing failures as in the present law. All present agreed that this would be a desirable change to Chapter 83 of the Laws of 1973.

Respectfully submitted,



DAVID F. NORCROSS
Executive Director