

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

MINUTES - November 3, 1977 Meeting

PRESENT

Frank P. Reiche, Chairman  
Sidney Goldmann, Vice-Chairman  
Josephine S. Margetts, Member  
Archibald S. Alexander, Member  
Lewis B. Thurston, III, Executive Director  
Edward J. Farrell, Legal Counsel  
Herbert Alexander, Consultant  
Neil Upmeyer, Director of Public Financing

The meeting convened at 10:15 a.m.

1. Open Meeting Statement

The chairman indicated that this meeting was called on an accelerated basis pursuant to the provisions of the Open Public Meetings Law (C.10:4-9) on matters relating to information from the 7-day pre-election reports for gubernatorial candidates Byrne and Bateman. The chairman indicated that previous adequate notice of the meeting was not possible because of the factors cited in C.10:4-9 subsection b (1 through 4) and the Commission could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided. He further indicated that notice of the meeting was given by posting a written notice of same in the Commission offices in a place reserved for such announcements, sending a telegram to the Newark Star Ledger and the Philadelphia Bulletin and by circulating notices to the State House Press.

Vice-Chairman Goldmann moved and Chairman Reiche seconded a motion indicating the need to conduct this meeting on the subject matter cited above only on an accelerated basis without the usual notice but in compliance with C.10:4-9 of the Open Meetings Law. The vote was 4-0.

2. Investigative Matters

On a motion by Chairman Reiche, seconded by Commissioner Margetts, the Commission voted 4-0 to go into executive session to discuss investigative matters relating to the gubernatorial election pursuant to C.10:4-12 of the Open Public Meetings Law. The circumstances under which the discussion conducted in closed session can be disclosed to the public would be at the conclusion of the Commission determination re same. At the conclusion of the discussion, the Commission returned to public session.

3. Disapproval of Proposed Reallocation of Radio Advertisements by Byrne for Governor

Chairman Reiche moved and Vice-Chairman Goldmann seconded a motion that the proposed reallocation of 1/3 of the cost of

certain radio advertisements to the Democratic State Committee by Byrne for Governor as indicated on the 7-day pre-election report of Byrne for Governor and associated correspondence with it was not reasonable, an appropriate allocation would be 100% to Byrne for Governor and that the \$32,500 transferred from the Democratic State Committee to Byrne for Governor to affect this reallocation be transferred back to the Democratic State Committee by Byrne for Governor by the close of business on November 3, 1977. The vote was 3-1. Commissioner Alexander voted in the negative because he believes that the effect of the advertising benefits Legislative candidates to some degree.

4. Adjournment

The Commission adjourned the meeting at 5:00 p.m.

Respectfully submitted,



LEWIS B. THURSTON, III  
Executive Director