

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

August 3, 1978 Meeting

PRESENT

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

ABSENT

Frank P. Reiche, Chairman

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 11:10 a.m.

1. Tanner, Gatterdam, Doele and E.L.E.C. vs. Lawrence Township Democratic Club, et al., C-03-78

On a motion by Commissioner Alexander, seconded by Commissioner Margetts, the Commission voted 3-0 to go into executive session to discuss the determination in the above-cited matter and to act on the executive session minutes of the Commission meeting of July 17, 1978.

2. Executive Session Minutes of Commission Meeting of July 17, 1978
The Commission remained in executive session to discuss the draft of the Commission minutes for the executive session of this meeting.

3. Tanner, Gatterdam, Doele and E.L.E.C. vs. Lawrence Township Democratic Club, et al., C-03-78

On a motion by Commissioner Alexander, seconded by Commissioner Margetts, the Commission voted 3-0 to return to public session. On a motion by Commissioner Alexander, seconded by Commissioner Margetts, the Commission voted 3-0 to find that the Lawrence Township Democratic Club and its treasurer, Dr. Peter Winkel, violated the Act in a negligent manner by the non-timely filing of the club's 7-day pre-election report for the 1977 general election and the failure to disclose the full name and address of 4 contributors on the club's 25-day pre-election report for that election and imposed a \$50 fine jointly on the Club and Dr. Winkel for these violations.

4. E.L.E.C. Schedule

The Commission briefly discussed its September meeting dates and the anticipated agendas for them.

5. Status Report on Outstanding Enforcement Matters

The executive director, general legal counsel and staff counsel reported on the status of general enforcement matters currently outstanding.

6. Public Session Minutes of Commission Meeting of July 17, 1978

On a motion by Vice-Chairman Goldmann, seconded by Commissioner Alexander, the Commission voted 3-0 to approve the minutes of the public session of this meeting.

7. Late filing cases from 1977 Primary Election

On a motion by Commissioner Margetts, seconded by Commissioner Alexander, the Commission voted 3-0 to go into executive session under the provisions of the Open Public Meetings Act to discuss determination of 112 cases of late filing from the 1977 primary election. At the conclusion of the discussion on a motion by Vice-Chairman Goldmann, seconded by Commissioner Margetts, the Commission voted 3-0 to return to public session.

On a motion by Vice-Chairman Goldmann, seconded by Commissioner Margetts, the Commission voted 3-0 to make the determinations listed on the sheets attached to these minutes of 112 cases of late filing from the 1977 primary election. In each case the determination was by a vote of 3-0.

8. Compliance-Enforcement Process

After discussion, the Commission decided to apply the revised compliance-enforcement process previously agreed to, for the first time to the 1978 general election, rather than to the 1978 primary election.

9. Review of Commission Regulations

The executive director and staff counsel reported that a request from the Attorney General's office had been received for all the Department of Law and Public Safety divisions and Agencies to check their regulations to determine which, if any, needed to be reviewed for purposes of compliance with the Governor's recent "Sunset" executive order. It was agreed that staff counsel would forward a memorandum to the Attorney General's

office indicating that the Commission will be reviewing its regulations shortly and citing 3 specific instances in which regulations need to be changed because of court decisions.

10. Adjournment - The Commission adjourned the meeting at 2:10 p.m.

Respectfully submitted,

Lewis B. Thurston III

LEWIS B. THURSTON, III
Executive Director

LBT/cm