

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

April 4, 1979 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, Esq., General Legal Counsel
Gregory E. Nagy, Esq., Staff Counsel

The chairman called the meeting to order and announced that 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, and that copies have been posted in the State House Annex, and mailed to the Newark Star Ledger, the Philadelphia Bulletin and the entire State House press corps.

The meeting convened at 10:15 a.m.

1. Amendments to Campaign Contributions and Expenditures Reporting Act
The Commission discussed and reviewed a draft of a bill amending the Act in many respects which was drafted by the executive director and general legal counsel. The bill encompasses a great number of Commission recommendations for amendment made over the past five years.

2. Reports by Executive Director

- a. Appearance before House Administration Committee on Public Financing

The executive director reported that on March 27, 1979 he appeared before the Committee on House Administration of the U. S. House of Representatives along with the Republican and Democratic chairmen of the State of Iowa and the executive director of the Minnesota Ethical Practices Board on a panel on the subject of public financing of congressional elections. He indicated that each of the panelists made a brief presentation and answered questions from the committee.

- b. Council on Governmental Ethics Laws

The executive director reported on a meeting of the Steering Committee of the Council on Governmental Ethics Laws (of which he is a member) which he attended in Chicago on April 2. The primary purpose of the meeting was to plan the Council's annual conference in Washington, D. C. in December and to take care of regular business for the Council.

c. New Forms Packet

The executive director indicated that a new consolidated packet of forms, information and instructions for candidates and committees had been printed and will be distributed to county and municipal clerks for distribution beginning with the 1979 primary election. Under a new procedure for distribution beginning at that time, municipal clerks will have responsibility to distribute a copy of the packet to each municipal candidate at the time he files his nominating petitions. The county clerks and Secretary of State will have similar responsibilities for county and state candidates.

d. Candidate Information Sessions

The executive director indicated that four of these sessions have been scheduled prior to the primary election on April 30, May 1, May 2 and May 3 at four different locations around the State (see attached notice). Members of the Commission staff will briefly outline the requirements of the Act and answer questions.

3. Approval of Minutes of Commission Meeting of March 15, 1979

On a motion by Chairman Reiche, seconded by Vice-Chairman Goldman and a vote of 4-0, the Commission approved the minutes of the meeting of March 15, 1979.

4. Executive Session

On a motion by Commissioner Margetts, seconded by Vice-Chairman Goldman and a vote of 4-0, the Commission went into Executive Session to discuss current litigation, the executive session minutes of the Commission meeting of March 15, 1979, current investigations, determinations of a number of late filing cases from the 1978 general election, and personnel matters. At the conclusion of the executive session the Commission returned to public session on a motion by Commissioner Alexander, seconded by Chairman Reiche and a vote of 4-0.

5. Cermele v. Lawrence Township Republican Club, et al - C-06-78

On a motion by Vice-Chairman Goldman, seconded by Commissioner Margetts and a vote of 4-0, the Co-mission agreed to file a complaint and serve a notice of hearing and complaint on the Lawrence Township Republican Club and its treasurer, Benedict Paratore, for failure to file annual reports of the club for the years 1973 through 1977 inclusive.

6. E.L.E.C. v. Old Bridge Democratic County Committee, et al., C-123-78(G)

On a motion by Vice-Chairman Goldman, seconded by Chairman Reiche and a vote of 4-0, the Commission voted to file a complaint and serve a notice of hearing and complaint on the Old Bridge Democratic County Committee and its treasurer, Joel Mintz, for the late filing of a 15 day post-election report relative to the 1978 general election and the non-disclosure of the ultimate payees of "street money" for that election.

7. Vocolo v. Tanner-Doele Campaign Committee, et al
On a motion by Commissioner Margetts, seconded by Vice-Chairman Goldmann and a vote of 4-0, the Commission dismissed the complaint in this matter because the information developed by investigation did not substantiate that a violation of the Act occurred.
8. Late Filing Cases From the 1978 General Election
On a motion by Chairman Reiche, seconded by Commissioner Alexander and a vote of 4-0, the Commission made determinations relative to the late filing cases listed on the attached sheets for the 1978 general election.
9. Litigation
On a motion by Vice-Chairman Goldmann, seconded by Chairman Reiche and a vote of 4-0, the Commission authorized its counsel to file application for appeal to the New Jersey Supreme Court from the Appellate Division decision of March 19, 1979 in the matter of Ricci v. Senior Citizens and Taxpayers Fed Up With Byrne Democrats, et al. The decision reversed the Commission's finding of violation and imposition of penalties in this case and also engrafted a \$750 expenditure threshold before the Act would apply to political committees.
10. Adjournment - The Commission adjourned the meeting at 3:35 p.m.

Respectfully submitted,



LEWIS B. THURSTON, III
Executive Director