

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

February 20, 1980 Meeting

PRESENT

Sidney Goldmann, Chairman  
Josephine S. Margetts, Member  
Andrew Axtell, Member  
Lewis B. Thurston, Executive Director  
Edward J. Farrell, General Legal Counsel  
Herbert Wolfe, Assistant Executive Director  
\*Gregory E. Nagy, Staff Counsel

\*Mr. Nagy attended the meeting through item number two.

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. New Jersey Chamber of Commerce, et al. vs. E.L.E.C. et al.

The Commission discussed the New Jersey Supreme Court decision of February 6, 1980 in this case re lobbyist regulation and the requirement of the Court that the Commission promulgate regulations to implement the decision within 90 days of the Court decision.

The Commission reviewed the decision in some detail and a tentative timetable for adoption of the regulation. The Commission hopes to have a draft regulation completed at its March 19 meeting so that it may be forwarded on March 20 to the Division of Administrative Procedure for publication in the April 10 edition of the New Jersey Register. Additionally, the Commission plans to hold a public hearing on April 25 and consider a final regulation on May 6, the last day of the 90-day period.

The Commission discussed whether there must be or should be retroactive application as to annual reports prior to 1980. It was generally agreed that there would be retroactive application only for the 1979 annual reports.

The Commission discussed the question of whether there might be a differentiation as to those activities applicable to the threshold for reporting and those which would be reportable once the threshold had been met.

As to the scope of the activity to be included, it was generally agreed that it would include activity relative to state legislation and as to legislators and the Governor and aides to legislators and the Governor.

The Commission reviewed a number of categories of typical expenditures which may be engaged in by lobbyists, including campaign contributions, entertainment, gifts, overhead and salaries, and communications and advertising. Additionally, the Commission reviewed various categories of receipts which may be appropriate for lobbying organizations, including membership dues, fees for service, contributions and transfers from national associations.

The Commission also reviewed the question of what an appropriate threshold amount would be. For working purposes only, it was agreed to use a threshold figure of \$2500, exclusive of travel expenses, for the first draft of the regulations.

2. Minutes of Public Session of Commission Meeting of January 16, 1980

On a motion by Commissioner Axtell, seconded by Commissioner Margetts and a vote of 3-0, the Commission approved the minutes of the public session of the above-cited meeting.

3. E.L.E.C. Fiscal Year 1981 Budget

The executive director reported on the Governor's recommendation for the Commission's Fiscal year 1981 budget. The Commission requested \$5,587,581 but the Governor recommended \$571,797. The entire \$4,984,923 for public financing of the gubernatorial primary election (based on the contingency of A1698 being enacted) was not recommended by the Governor.

4. Legislation

A. Public Financing Bill

The executive director reported that A1698, providing for public financing, contribution limits and other provisions relative to gubernatorial primary elections, is still being considered by the Governor after having passed both houses of the legislature. He indicated that there was no indication as to whether the Governor would sign the bill or not.

B. Legislation to Amend Campaign Contributions and Expenditures Reporting Act in Various Ways

The Commission reviewed the final draft of this omnibus bill and approved it in final form to be forwarded to Assemblyman Albert Burstein for introduction in the 1980-81 session of the New Jersey Legislature. The Commission had previously decided the major policy questions involved relative to this legislation.

5. Advisory Opinion Requests

The Commission agreed upon advisory opinions relative to the following requests:

- 0-03-80, H. Neil Broder
- 0-04-80, Peter P. Curtin (State Democratic Committee)
- 0-05-80, Peter P. Curtin (State Democratic Committee)
- 0-06-80, James Cundari (Committee to Re-Elect Aduato-Cali)
- 0-07-80, Francis P. McQuade (Shapiro Recall Committee)

6. Executive Session

On a motion by Chairman Goldman, seconded by Commissioner Axtell and a vote of 3-0, the Commission went into executive session to discuss the minutes of the executive session of the meeting of January 16, 1980, and a number of enforcement cases for determination from the 1979 Primary and General Elections and a 1978 annual report case.

7. Public Session

On a motion by Chairman Goldman, seconded by Commissioner Margetts and a vote of 3-0, the Commission returned to public session.

8. Adjournment - The Commission adjourned the meeting at 3:30 p.m.

Respectfully submitted,



LEWIS B. THURSTON, III  
Executive Director