

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

July 2, 1980

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

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 10:25 a.m.

1. Executive Session

On a motion by Commissioner Margetts, seconded by Commissioner Axtell and a vote of 3-0, the Commission went into executive session to discuss the executive session minutes of the Commission meeting of June 18, 1980, personnel matters and an investigative matter. Upon completion of the discussion of these matters the Commission returned to public session on a motion by Chairman Goldmann, seconded by Commissioner Margetts and a vote of 3-0.

2. Approval of Public Session Minutes of Commission Meeting of June 18, 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. Request for Computer Tape.

The executive director indicated that a written request from Gerald Goldmann, Esq. had been received for copies of several computer tapes of the Commission from which computer print-outs are published for the general elections of 1979 and 1977. He indicated that a check with appropriate officials of the Treasury Department and the Attorney General's Office indicated that there is no policy which governs such matters and that it is up to each agency to determine whether such computer tapes may be sold. After discussion, the Commission agreed that such tapes could be sold following the procedure for such sales as set by the Data Processing Center.

4. Legislation re: Financial Reporting of Lobbyists.

The executive director reported that A1610 and A1611 passed in the Assembly recently and are expected to be considered in the Senate when the Senate returns in July. These bills would set a

different standard than the Commission regulations for lobbyist financial reporting and require that the reports be filed with the Attorney General's Office rather than the Election Law Enforcement Commission. The Commission discussed this general subject.

5. Update and Discussion of Major Policy Questions re: Public Financing of Gubernatorial Primary Elections.

The executive director indicated that the bill to provide public financing for gubernatorial primary elections passed both houses of the legislator and is now pending before the Governor. The Commission then reviewed a projected Commission timetable of activity to implement this legislation. Additionally, the Commission reviewed at length some key questions which it anticipates it will have to answer re: going from a system of no public financing, contribution or expenditure limits in the primary election to a new statutory base with such elements. Among the questions which were discussed were whether the contributions or expenditure limits would apply retroactively to certain campaign activity already begun, when a candidacy begins, what is "exploration" of a candidacy and what procedures are appropriate for the Commission to take immediately following enactment of public financing legislation for gubernatorial primary elections.

6. Advisory Opinion Request 0-28-80, Stanley J. Gulkin, Esq.

The Commission agreed on a response to this advisory opinion request which concerns whether the expenses of a party to be given at the Republican National Convention in 1980 by a delegate who may later become a candidate for governor would be deemed to be a campaign expense should that person become a candidate for governor.

7. Adjournment - The Commission adjourned the meeting at 2:30 p.m.

Respectfully submitted,



LEWIS B. THURSTON, III
Executive Director