

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

July 6, 1981

PRESENT

Sidney Goldmann, Chairman
Josephine S. Margetts, Member
Andrew C. Axtell, Member
M. Robert DeCotiis, Member
William R. Schmidt, Assistant Executive Director
Edward J. Farrell, General Legal Counsel
Gregory E. Nagy, Staff Counsel
Scott A. Weiner, Executive Director designate

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 10:05 a.m.

1. Approval of Minutes of Public Session of Commission Meeting of June 24, 1981

On a motion by Commissioner Margetts, seconded by Commissioner Axtell and a vote of 4-0, the Commission approved the minutes of the public session of the above-cited meeting.

2. Approval of Minutes of Public Session of Commission Meeting of June 29, 1981

On a motion by Commissioner Axtell, seconded by Commissioner Margetts and a vote of 4-0, the Commission approved the minutes of the public session of the above-cited meeting.

3. Certification of Public Matching Funds to Gubernatorial Primary Election Candidates

The Commission reviewed the staff review and suggestions for certification of public matching funds to gubernatorial candidates. On a motion by Commissioner DeCotiis, seconded by Commissioner Axtell and a vote of 4-0, the Commission approved a total of \$5,626.42 to three candidates for Governor as follows:

<u>Candidate</u>	<u>Amount</u>
Ann Klein	\$ 79.38
Richard McGlynn	300.00
John Rafferty	5,247.04
TOTAL	<u>\$5,626.42</u>

4. Review of Proposed Scope of Services for Auditing Contract

The Commission reviewed the proposed scope of services and approved the scope of services with the following amendments:

- the name or names of the audit managers in section 3.11 should be identified as the executive director and the assistant executive director;
- the Florio and Kean campaigns should be audited first and the audit findings should be reported first; this priority to the Florio and Kean campaigns should be set forth in section 3.1;
- a time limit should be established in the contract for the performance of the work; the Florio and Kean audits should be completed within 30 days after the date of the award of the contract and the remaining 14 audits should be completed within 60 days after the date of the award of the contract; this completion schedule will be included in a new section 3.12;
- an additional work clause to cover the audit of the general election campaigns will be added.

5. Review of the Draft Questionnaire to Gubernatorial Primary Candidates

The Commission reviewed the draft questionnaire as presented by staff. With the addition of one more question concerning the issue of the gubernatorial candidates who do not take public funds and can spend their own funds without limit, the questionnaire was approved to be sent to gubernatorial candidates and campaign treasurers.

6. Advisory Opinion

The Commission reviewed the following advisory opinion request and agreed to an advisory opinion in response thereto:

0-31-81 - Adolph LiPira

7. Discussion with Representatives of the Democratic Gubernatorial Nominee, James Florio, re 1981 General Election for Governor

At the request of Florio campaign, the Commission met with five representatives of that campaign to discuss concerns relative to the 1981 General Election for Governor. The representatives were Nicholas Rudi, finance chairman for the Florio campaign; Allen Nickerson, counsel to the Florio campaign; Angelo Genova, counsel to the Democratic State Committee; Roger Lowenstein, financial chairman of the Florio campaign; and Allen Vogelsson, counsel to the Florio campaign. The discussion included, but was not limited to, the following subjects:

- the allocation of expenditures by county and municipal committees and the perceived difficulty in monitoring the activities of county Democratic committees;
- the possible conflict in the Commission's regulations between the regulations requiring the State committee to spend only from a State committee account on behalf of a gubernatorial candidate and the idea of allocating expenditures made by the State committee between the gubernatorial candidate and other Democratic candidates;
- polling activities;
- registration drives and "get-out-the-vote" efforts;
- the role of national party committees;
- the Commission's 1977 advisory opinion to the Democratic National Committee concerning the reporting requirements of a national political party committee;
- the Commission's policy enunciated in 1977 of including the \$100,000 spent by county and municipal political party committees within the gubernatorial candidate's expenditure limit;
- the mechanics of the gubernatorial candidate accepting contributions for his campaign as well as for the state committee; and
- the requirements surrounding independent expenditures.

8. Designation of Vice-Chairman

On a motion by Commissioner Axtell, seconded by Commissioner DeCotiis, Commissioner Margetts was designated Vice-Chairman of the Election Law Enforcement Commission to serve in the absence of the chairman.

9. The Commission meeting Schedule

The Commission agreed to change its meeting schedule by adding a meeting on Wednesday, July 22, 1981.

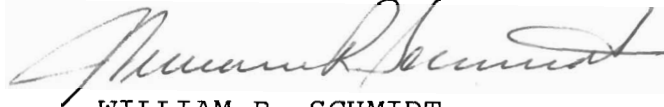
10. Executive Session

On a motion by Commissioner DeCotiis, seconded by Commissioner Axtell and a vote of 4-0, the Commission went into executive session to discuss the executive session minutes of the Commission meeting of June 24 and of the Commission meeting of June 29, and to discuss investigative matters.

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11. Adjournment - The Commission adjourned the meeting at 1:05 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William R. Schmidt", is written over a light gray rectangular background.

WILLIAM R. SCHMIDT,
Assistant Executive Director

WRS/cm