

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

September 22, 1981

PRESENT

Sidney Goldmann, Chairman
Josephine S. Margetts, Member
Andrew C. Axtell, Member
M. Robert DeCotiis, Member
Scott A. Weiner, Executive Director
William R. Schmidt, Assistant Executive Director
Gregory E. Nagy, Staff Counsel
Edward J. Farrell, General Legal 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 filed 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 10:40 a.m.

1. Approval of Minutes of Public Session of Commission Meeting of September 14, 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.

2. Certification of Public Matching Funds

The Assistant Executive Director reported that James J. Florio for Governor, Inc. had made a fourth submission of \$344,265.00 and that Tom Kean for Governor had made a first submission of \$658,093.00 on September 21, 1981. He recommended that the Commission certify \$608,093.00 to the Tom Kean for Governor Committee and \$391,005.00 to the James J. Florio for Governor, Inc. The amount for Tom Kean for Governor represents one-half of the first submission, minus \$50,000.00 threshold. The amount for James J. Florio for Governor, Inc. represents 25 percent of the third submission of \$93,480.00 and 50 percent of the fourth submission of \$344,265.00.

On a motion by Chairman Goldmann, seconded by Commissioner Margetts and a vote of 4-0, the Commission certified a total of \$999,098.00 in public matching funds for the General Election gubernatorial candidates James J. Florio (D) \$391,005.00 and Thomas H. Kean (R) \$608,093.00.

3. Fiscal Year 1983 Budget

The Executive Director presented a summary of his proposed FY'83 budget to the Commission and submitted a written report for the Commission's review.

4. Gubernatorial Candidate Bill Gahres' 500 Word Statement

The Executive Director reported that two county clerks objected to the language in the 500 word statement, submitted by Bill Gahres, to be printed with the sample ballots. The Commission reviewed Mr. Gahres' statement and the statutory provisions set forth in N.J.S.A. 19:44A-37 which provides for the printing of the statements. General Counsel Edward Farrell advised the Commissioners that the Election Law Enforcement Commission was not charged with the responsibility of approving content and was not granted the authority to edit or censor the contents of the statements. The Commissioners concluded that although they personally found the questioned language to be in extremely bad taste, they did not have the authority to address any objections to the content of the statements.

5. Executive Session

On a motion by Commissioner Axtell, seconded by Commissioner Margetts and a vote of 4-0, the Commission went into executive session to discuss the executive session minutes of the Commission meeting of September 14, 1981, to discuss investigations and enforcement actions, and to discuss personnel matters.

6. Adjournment - The Commission adjourned the meeting at 12:25 p.m.

Respectfully submitted,



SCOTT A. WEINER,
Executive Director