

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

APRIL 12, 1982

PRESENT

Andrew C. Axtell, Member
M. Robert DeCotiis, Member
Haydn Proctor, Member
Alexander P. Waugh, Jr., Member
Scott A. Weiner, Executive Director
William R. Schmidt, Assistant Executive Director
Edward J. Farrell, General Counsel

Acting Chairman Axtell 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, and the entire State House press corps.

The meeting convened at 10:05 a.m. at the Atlantic City Municipal Building, Atlantic City, N. J.

1. Approval of Minutes of Public Session of Commission Meeting of March 29, 1982

The Commission reviewed the minutes and on the motion of Commissioner Proctor, seconded by Commissioner DeCotiis and a vote of 4-0, the Commission approved the minutes of the public session of March 29, 1982.

2. Public Hearing Concerning the Public Financing Study

Neither of the two persons scheduled to appear at the hearing concerning New Jersey's public financing program were in attendance. Furthermore, no one else appeared to present testimony concerning the public financing program.

3. Discussion of Issue Paper No. 9, "Funding of Political Parties"

The Commission discussed the Issue Paper which had been distributed previously. Commissioner DeCotiis asked if the chairman of the county political party committees had been asked to comment on the concept of publicly funding political parties. Executive Director Weiner said that the county political party committees and the two state political party committees had been asked to comment. He said that representatives of both state political party committees had discussed the issue with him.

The Executive Director pointed out that there are two basic approaches for publicly funding political parties. One is to aid the parties in "party building" and the other is to aid the state political party committees in supporting their gubernatorial

candidates. The latter approach would not help local candidates.

It was noted that eliminating the expenditure limitation would reduce, if not eliminate, the problem of alienation between local candidates and the gubernatorial candidate.

It was also noted that the decline of political parties may be greatly exaggerated. Both state political party committees evidenced increased ability to raise funds as did many of the county political party committees.

The Executive Director noted that after the Commission's discussion of Issue paper No. 9, he and Assistant Executive Director Schmidt would meet with Neil Upmeyer, consultant, and would edit the paper prior to its being printed for distribution to those on the mailing list.

4. Executive Director's Report

The Executive Director reviewed the proposals for the Commission's budget in Governor Kean's budget, particularly the proposals to reduce the amounts in non-personnel accounts.

Executive Director Weiner reported that on Wednesday, April 28, the New York State Temporary Commission on Lobbying is hosting the Northeast Conference on Lobbying in Albany, N. Y. He noted that Staff Counsel Nagy, Director of Compliance and Review Schultz and he would probably be attending.

The Executive Director reported that Staff Counsel Nagy and he attended a meeting of the Administrative Law Section of the New Jersey State Bar and that he has assumed the chairmanship of the Rulemaking Section. The Executive Director reported that the Practicing Law Institute is holding a two-day conference in Washington in mid-May on PAC's and that he plans to attend.

The Executive Director reported that the staff are developing a lobbyist audit program, including a draft of procedures for use in field audits. He also reported that the "questions and answers" will be published in the next issue of the New Jersey Register.

The Executive Director reported that he had spoken with Herbert Alexander who plans to be in New Jersey the first week in May, probably Wednesday, May 4th through Friday, May 7th. He reported that it is expected Mr. Alexander will meet with the Commission on one of those dates to discuss the public financing issues and then spend one day with Commission staff for the same purpose.

The Executive Director reported that Dean Stokes from the Woodrow Wilson School, Princeton University, has tentatively agreed to sponsor a meeting of New Jersey political scientists on public financing issues. The tentative date for the meeting is Friday, May 7th.

5. Discussion of Eagleton Poll Proposal

The Executive Director introduced the proposal from the Eagleton Poll to add questions concerning public financing to its next poll at a cost of \$2,000 to \$3,000 to the Commission. Among the reasons for participating in such a poll are the following: (1) it would provide the Commission with some idea of the public's opinions and judgments about public financing; and (2) although there is some general recognition that the public financing for the primary election needs some adjustment, it is unclear if the adjustment should be to solely save money or whether the adjustment should reflect the concept that some candidates were funded who should not have been funded.

General Legal Counsel Farrell noted that to the extent there is sentiment to eliminate all public financing, it might be helpful to ascertain the degree of public support for public financing.

Commissioner Waugh noted that polls tend to be biased against urban areas, i.e. polls do not get enough participation from residents of urban areas.

Another reason for going ahead with the Eagleton Poll is that the proposed poll is being conducted so that the results would be available to the Commission in mid to late May, the time during which the Commission will be preparing its final report of recommendations to the Legislature on the public financing program.

Commissioner Waugh noted that the two major primary candidates who did not take public funds, Congressman Roe (D), and Joseph Sullivan (R) were unsuccessful in their races which could be interpreted that both came out on the wrong side of the issue of public financing.

After further discussion of the advisability of the Commission funding an Eagleton Poll, the Commission reached a consensus not to approve such an expenditure since it was concluded the evaluation of public sentiment on the merits of the program was not so clearly within the Commission's jurisdiction to warrant the expenditure. Rather, such issues were best addressed by the Legislature. However, the Commission did authorize the Executive Director to provide whatever assistance would be needed if Eagleton was successful in attracting a sponsor for such a poll.

6. Comments By Atlantic City Councilmanic Candidates

Two candidates for Councilman in the Third Ward, Atlantic City, spoke before the Commission about their candidacies.

7. Executive Session

On a motion by Commissioner Proctor, seconded by Commissioner DeCotiis and a vote of 4-0, the Commission voted to resolve to go into executive session to review the executive session minutes of March 29, 1982 and to discuss investigations and enforcement actions, the results of which will be made public at their conclusion.

8. Adjournment

On a motion by Commissioner Waugh, seconded by Commissioner Axtell and a vote of 4-0, the Commission voted to adjourn.

Respectfully submitted,



SCOTT A. WEINER
Executive Director