

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

APRIL 11, 1983

PRESENT

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

ABSENT

William R. Schmidt, Assistant  
Executive Director  
Sidney Goldmann, Consultant

Chairman Axtell called the meeting to order and announced that pursuant to the Open Public Meetings Law, P.L. 1975, c.231, special notice of the meeting of the Commission, had been filed with the Secretary of State's office, and distributed to the entire State House Press Corps.

The meeting convened at 2:00 p.m. at the office of the Commission's General Legal Counsel, 43 Maple Street, Morristown, NJ.

1. Approval of Minutes of Public Session of Commission Meeting of March 23, 1983.

On a motion by Commissioner Waugh, seconded by Commissioner DeCotiis and a vote of 3-0, the Commission approved the minutes of the Public Session of March 23, 1983.

Personal Financial Disclosure Regulations

General Legal Counsel Farrell submitted a revised text for proposed regulations governing the filing of Personal Financial Disclosure Statements by candidates for the Office of Governor, or the Legislature pursuant to N.J.S.A. 19:44B-1 et seq. Mr. Farrell said the revised regulations reflected amendments the Commission requested at its meeting of March 23, 1983. On that date, Jo-Ann Oser, Executive Director, New Jersey Common Cause, submitted a two-page statement in which Common Cause recommended that: 1) All sources of income, both earned and unearned, be disclosed whenever the category exceeds \$1,000; and 2) a source of income, when the combined categories total more than \$1,000, be disclosed.

Mr. Farrell reported that the revisions he was submitting would require all sources of income, both earned and unearned, to be disclosed whenever the category exceeds \$1,000, except that identification would not be necessary of any source which totals \$100 or less for the year. He further said that the second suggestion of Common Cause exceeded the statutory language of the legislation and therefore could not be adopted in the regulations.

Commissioner DeCotiis asked what would occur if a reporting candidate received payments of \$99.00 each within a category from 11 different sources. Mr. Farrell responded that under the revised regulations the candidate would be required to indicate that he

received income totalling more than \$1,000 in the category, but would not be required to identify any single source of income.

Chairman Axtell asked if candidates would be required to report interest earned on certificates of deposit. General Legal Counsel Farrell responded that such interest would be reportable as unearned income under the language of the statute. Therefore, he counseled against enacting any regulation that would exempt such interest payments.

Executive Director Weiner said that the Commission staff would prepare a written response to Common Cause indicating that the first suggestion would be incorporated as modified by the Commission in the revisions to the proposed regulations; however, the second suggestion of Common Cause would not be accepted because the Commission was constrained by the statutory language.

On a motion by Commissioner DeCotiis, seconded by Commissioner Waugh and a vote of 4-0, the Commission approved the changes proposed by General Legal Counsel Farrell.

3. Review and Discussion of the 1982 Annual Report

Mr. Weiner submitted a 23-page draft of the Commission's 1982 Annual Report. Commissioner Proctor said he found the report very well done. The Commissioners directed Mr. Weiner to proceed with publication of the 1982 Annual Report.

4. Update Concerning FY 84 Budget Presentation

Mr. Weiner said that the date for the Commission's presentation to the Joint Appropriations Committee of the Legislature has been tentatively set for April 27, 1983. Chairman Axtell indicated that he might be unable to attend on that date because of a prior commitment. Commissioner Waugh was designated to substitute for Chairman Axtell in the event the Chairman cannot attend.

Mr. Weiner reported that he had submitted a memorandum to Cary Edwards, Chief Counsel to the Governor, concerning the FY 84 budget. He said Mr. Edwards had suggested that he meet with Al Fasola concerning the anticipated shortfall in the computer programming account. Also, he reported that Mr. Edwards had indicated he would be willing to support an addition of \$25,000 to the salary account. Mr. Weiner reported that traditionally the annual salary adjustments are under funded by the Office of the Governor, and for a small agency such as the Commission this can occasionally necessitate additional transfers to the salary account.

5. Executive Director's Report

Mr. Weiner reported that five training sessions have been scheduled and distributed a list with dates and places where the training sessions will be conducted. Members of the staff conducting the sessions will include Mr. Weiner, Assistant Executive Director Schmidt, Staff Counsel Nagy, Director of Compliance and Review Schultz, and Election Finance Analyst London. Copies of the schedule

of the training sessions have been mailed to state, county and municipal political committees, municipal clerks and other interested persons.

Mr. Weiner reported that the Northeastern Conference on Lobbying will be conducted in Newark on May 18, 1983, with the Commission serving as the host agency. Mr. Weiner also reported that Attorney General Irwin I. Kimmelman has been invited to address the luncheon.

Mr. Weiner reported that he will be attending a conference conducted by the Citizens' Research Foundation in Washington, D.C., on May 4 and 5. Commissioner DeCotiis said that since Mr. Weiner was representing the Commission at that event, the \$50.00 dinner event should be paid from Commission funds.

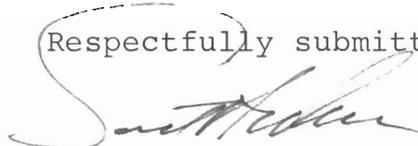
6. Executive Session

On a motion by Commissioner DeCotiis, seconded by Commissioner Waugh and a vote of 4-0, the Commission voted to resolve to go into Executive Session to review the Executive Session minutes of March 23, 1983 and to discuss investigations and enforcement actions, the results of which will be made public at their conclusion.

7. Adjournment

After returning to Public Session, on a motion by Commissioner DeCotiis, seconded by Commissioner Waugh and a vote of 4-0, the Commission voted to adjourn.

Respectfully submitted,



SCOTT A. WEINER  
Executive Director