

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

JANUARY 3, 1984

PRESENT

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

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 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 10:10 a.m. at the office of the Commission, 28 West State Street, Trenton, N. J.

1. Approval of Minutes of Public Session of Commission Meeting of December 19, 1983

On a motion by Commissioner Proctor, seconded by Chairman Axtell and a vote of 3-0, the Commission approved the minutes of the public session of December 19, 1983. Commissioner DeCotiis did not vote because he was absent from the December 19, 1983 meeting.

2. Advisory Opinion No. 01-1984

The Commission reviewed a December 9, 1983 Advisory Opinion request from Thomas D. Ward, Jr., Treasurer of the Campaign Fund of Maureen Ogden and a draft advisory opinion dated December 27, 1983 and prepared by Staff Counsel Nagy. On a motion by Commissioner DeCotiis, seconded by Commissioner Proctor and a vote of 4-0, the Commission approved the Advisory Opinion for release.

3. Advisory Opinion 02-1984

Mr. Weiner said he had received a December 20, 1983 letter from Senator Edward T. O'Connor, Jr. requesting an Advisory Opinion concerning the proposed use of surplus campaign funds for a thank you party for election workers and contributors. Mr. Weiner noted that the nature of the request and the Commission's response are similar to those presented in Advisory Opinion 01-1984 and that this issue had been previously addressed by the Commission in previous advisory opinions. On a motion by Commissioner Waugh, seconded by Commissioner Proctor and a vote of 4-0, the Commission authorized Staff Counsel Nagy to prepare the Opinion.

4. Advisory Opinion 19-1983

The Commission reviewed a draft advisory opinion addressed to Senator Gerald Cardinale, dated December 30, 1983 and prepared by General Legal Counsel Farrell for Staff Counsel Nagy's signature. On a motion by Commissioner DeCotiis, seconded by Commissioner Proctor and a vote of 4-0, the Commission approved the Advisory Opinion.

5. Executive Director's Report

Mr. Weiner reported that he had met on separate occasions with Chief of Staff Greg Stevens and with Senate President Carmen Orecchio concerning legislation affecting the Commission. Mr. Weiner said that the Governor's office has placed campaign finance issues high on its priority list for 1984, especially gubernatorial public financing. Mr. Weiner said there is also great interest in the issue of financing legislative elections including the role of PACs, the overall expense of legislative campaigns and possible public financing.

Mr. Weiner said that he had discussed with Senate President Orecchio three bills concerning campaign finance presently before the Legislature. The first is S1195 introduced by former Senator Perskie which has been before the Assembly since May 1982. Mr. Weiner said that the legislative leadership anticipates no action in the Assembly on that bill which deals with surplus campaign funds. Mr. Weiner said that A1875 which would retroactively increase the limit on contributions to 1981 gubernatorial candidates who did not accept public funds had been approved by the Senate State Government Committee and will be before the Senate for its consideration on Thursday, January 5, 1984. Mr. Weiner said that he had discussed with Senator Orecchio the Commission's concerns about the bill. He said that Senator Orecchio will get back in touch with him before Thursday's Senate session. Mr. Weiner said that the Governor's office is less than enthusiastic about the bill.

Finally, Mr. Weiner said that Senate President Orecchio will consider his request and post A-3099 for Senate consideration on Thursday, January 5, 1984. This is the bill which was passed in the Assembly and would amend the Campaign Contributions and Expenditures Reporting Act as generally recommended by the Commission.

Mr. Weiner said that he had been invited to participate at the annual meeting of the Public Affairs Council in Washington, D.C. on January 26, 1984. He said he would be participating in a panel dealing with PAC regulations by states with Herbert Alexander and Dan Stanford, chairman of the California Fair Political Practices Commission.

Mr. Weiner said that it appears that New Jersey Common Cause is being revitalized and that the new executive director and Common Cause leadership have placed campaign finance reform high on the agenda for 1984. At the request of that organization, he will be participating in a workshop concerning campaign finance to be held on January 21, 1984.

8. Executive Session

On a motion by Commissioner DeCotiis, seconded by Commissioner Waugh and a vote of 4-0, the Commission voted to go into executive session to review the minutes of the executive session of December 19, 1983, to discuss enforcement actions and investigative matters, the results of which will be made public at their conclusion, and to review personnel matters.

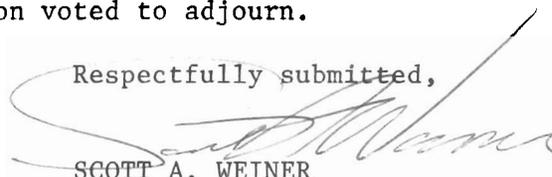
9. Code of Ethics

Commissioner Waugh asked General Legal Counsel Farrell about the status of a draft Code of Ethics for the Commissioners. Mr. Farrell said that he had begun work on drafting such a code by reviewing codes from other executive departments and that he may have a draft for the Commissioners' consideration at its next meeting.

10. Adjournment

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

Respectfully submitted,



SCOTT A. WEINER  
Executive Director