



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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PUBLIC SESSION MINUTES

TELEPHONE CONFERENCE

MAY 11, 1993

Chairman McNany, Commissioner Linett, Commissioner Eldridge, senior staff, and Director of Public Financing Nedda Massar participated in the telephone conference. Counsel Farrell was absent.

Chairman McNany called the meeting to order and announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., 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 by telephone at 10:00 a.m. at the Commission offices, Trenton, New Jersey.

1. Public Matching Funds Funds

Candidate Cary Edwards/Submission 3

A complete review of all items determined that a total of \$191,769.00 in contributions was deemed eligible for match at a 2:1 ratio. This amount includes items resubmitted from prior submissions. Director Massar explained that applying the 2:1 ratio to that amount results in public funds of \$383,538.00, of which \$376,502.00 is necessary to bring the Edwards campaign to the \$1.6 million public funds maximum for the 1993 primary election. It was found that five contribution items amounting to \$2,105.00, were determined to be ineligible for match. These items represented an ineligibility rate of .76 percent.

On the basis of its review, staff recommended that the Commission certify \$376,502.00 in primary election public matching funds to Candidate Edwards.

On a motion by Commissioner Linett, seconded by Commissioner Eldridge and passed by a vote of 3-0, the Commission certified a total of \$376,502.00 in primary election public matching funds to Candidate Cary Edwards.

2. Advisory Opinion No. 04-1993

Legal Director Nagy reported that the Democratic State Commission (DSC) is appealing Advisory Opinion No. 04-1993, which states that expenditures by the Republican State Committee (RSC) for broadcast advertising critical of the incumbent governor, are not allocable against the ultimate winner of the Republican gubernatorial primary election. The advisory opinion was rendered in the context of these expenditures being made prior to the primary election and without coordination with any Republican gubernatorial candidates.

Legal Director Nagy said that the Notice of Appeal will be referred to Counsel Farrell.

3. Resolution To Go Into Executive Session

On a resolution by Chairman McNany, seconded by Commissioner Linett and passed by a vote of 3-0, the Commission resolved to go into closed Executive Session.

4. Adjournment

On a motion by Commissioner Linett, seconded by Commissioner Eldridge and passed by a vote of 3-0, the Commission voted to adjourn at 10:12 a.m.

Respectfully submitted,



FREDERICK M. HERRMANN, PH.D.