

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

April 6, 1981

PRESENT

Sidney Goldmann, Chairman
Josephine S. Margetts, Member
Andrew C. Axtell, Member
Lewis B. Thurston, III, Executive Director
Edward J. Farrell, General Legal Counsel
William R. Schmidt, Assistant Executive Director

ABSENT

M. Robert DeCotiis, Member

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 posted 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 10:00 a.m.

1. Approval of Minutes of Public Session of Meeting of March 23, 1981
On a motion by Commissioner Margetts, seconded by Commissioner Axtell and a vote of 3-0, the Commission approved the minutes of the above-cited meeting.
2. Report on Current Legislation
The executive director reported on the status of S1286, a bill to require gubernatorial and legislative candidates to file personal financial disclosure statements with the Election Law Enforcement Commission. The bill has passed in the Senate and an amended version has passed in the Assembly. It was agreed to check with the Senate leadership and the Governor's office as to the timetable for consideration of this legislation.
3. E.L.E.C. Meeting Schedule
The Commission reviewed its meeting schedule for April. It is anticipated that Commissioner Axtell and the executive director will be unable to attend the Commission meeting scheduled for April 20.
4. Certification of Public Matching Funds to Gubernatorial Primary Election Candidates
The Commission considered the staff review and summary of the last submissions for nine gubernatorial candidates. On a motion by Chairman Goldmann, seconded by Commissioner Margetts and a vote of 3-0, the Commission certified a total of \$442,209.90 to these candidates, as follows:

<u>Name</u>	<u>Amount</u>
Frank Dodd (D)	\$ 51,028.10
William Hamilton (D)	45,050.00
Donald Lan (D)	154,726.00
Barbara McConnell (D)	14,331.80
Richard McGlynn (R)	31,014.00
Joseph D. Merlino (D)	33,380.00
Barry T. Parker (R)	16,170.00
John Rafferty (R)	62,428.00
James Wallwork (R)	34,082.00
TOTAL	\$442,209.90

5. Review of Policy and Procedural Questions Relative to the 1981 Gubernatorial Election

The Commission reviewed the format and procedure to be used for disclosure reports required of all candidates for Governor. It agreed that as part of the disclosure all candidates must submit, on a confidential basis, a list of contributors of \$100 or under at each reporting date. Additionally, the Commission agreed to suggest strongly to those candidates not taking public funds to submit their list of contributors on these disclosure reports in alphabetical order and to aggregate multiple contributions from the same source. This will permit a more understandable public disclosure and easier monitoring of the \$800 contribution limit.

The Commission discussed with the staff members present the processing of contributor documentation received in the candidates' submissions as it relates to the Commission schedule of meetings and the needs of the candidates. It was agreed that, where possible, all data received from a previous submission will be processed for the next Commission meeting. In those cases where this is not possible, the Commission agreed to certify 50% of each candidate's submission and to complete the processing of the submission within two weeks after the submission date. This would be the case with the exception of those candidates attempting to qualify for public funds for the first time or in situations where because of an excessive error rate, evidence of violation, or other extraordinary circumstance, the Commission believes that certification of the 50% would not be justified.

6. Report on Citizens' Research Foundation Conference on Campaign Finance Regulation

The executive director and assistant executive director reported to the Commission on the two-day conference on public financing regulation held on April 2 and 3 in Washington, D.C. They indicated that the conference contained an excellent program which was well received and that the conference was well attended. Commissioner DeCotiis also attended.

7. Advisory Opinion Requests

The Commission reviewed advisory opinion request No. 0-11-81 from Lawrence DeMarzo, legislative aide to Assemblyman Richard J. Codey concerning reporting of a testimonial dinner. The Commission agreed on an advisory opinion.

The Commission briefly reviewed advisory opinions Nos. 9 and 10 of 1981 from Jane Cleeland, Treasurer of Senator Jim Wallwork for Governor, and E. Neal Zimmerman, on behalf of Ann Klein for Governor, Inc. The Zimmerman request deals with valuing art used in campaign fund raising and the Cleeland request deals with the permissible use of public funds for certain purposes. The Commission directed the general legal counsel to research these questions for consideration by the Commission at its next meeting.

The Commission briefly discussed the question raised by one of the gubernatorial campaigns regarding whether the contribution for a journal for a fund-raising event was matchable with public funds. It was agreed to look further into this question and to request the campaign to submit a written advisory opinion request if they want and need a definitive answer.

8. Executive Session

On a motion by Chairman Goldmann, seconded by Commissioner Margetts and a vote of 3-0, the Commission went into executive session to discuss the executive session minutes of the meeting of March 23, 1981, enforcement cases from 1980 elections and an investigative matter. At the conclusion of the discussion of these matters, the Commission returned to public session on a motion by Chairman Goldmann, seconded by Commissioner Margetts and a vote of 3-0.

9. Adjournment - The Commission adjourned the meeting at 12:45 p.m.

Respectfully submitted,



LEWIS B. THURSTON, III
Executive Director