

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

FEBRUARY 2, 1983

PRESENT

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

Vice Chairman DeCotiis called the meeting to order and announced that pursuant to the Open Public Meetings Law, special notice of this meeting had been filed with the Secretary of State's office, and that copies of such notice had been delivered to the entire State House Press Corps.

The meeting convened at 1:00 p.m. at the office of the Commission's General Counsel, Morristown, New Jersey.

1. Review and Approval of Proposed Regulations Concerning Personal Financial Disclosure by Legislative Candidates

The Commission conducted a section-by-section review of the January 31, 1983 draft of Subchapter 19, Personal Financial Disclosure Statements by candidates for the Office of Governor or the Legislature. Included among the topics discussed were the following:

With respect to the various definitions set forth in the regulations it was the opinion of the Commission that the entire definition, as may be set forth in the substantive statute, be included in the regulation. In the event of a statutory amendment the Commission would then review the regulation and make any amendments that may be appropriate and necessary.

The Commission discussed the issue as to whether pensions should be considered as a disclosable source of income. After extensive discussion it was agreed that pension benefits would be reportable under the regulations. However, such reporting would only be required when the pension benefits are in fact received. In addition, the Commission agreed that social security benefits would not be subject to reporting. Accordingly, the staff was directed to redraft Section 19.4d.

The Commission discussed the issue of the disclosure and reporting of deferred income. After discussion, it was agreed that income should be reported if it would be considered a receipt pursuant to a cash accounting system or a receivable pursuant to an accrual counting system.

In discussing the reporting of miscellaneous income (Section 19.4e) there was agreement to add child support as one of the enumerated categories which would not be subject to reporting as miscellaneous income.

On a motion by Commissioner Proctor, seconded by Commissioner Waugh the Commission approved the form of proposed regulations, as amended pursuant to the discussion of the Commission, and authorized and directed the Executive Director to take such steps as may be necessary to file the proposed regulations with the Office of Administrative Law. The vote on the motion was 3-0.

2. Scheduling of Public Hearing

On a motion by Commissioner Proctor, seconded by Commissioner Waugh and approved by a vote of 3-0, the Commission scheduled a public hearing on the proposed regulations for March 23, 1983. It was noted that the date of the hearing was subject to coincide with a regularly scheduled meeting date of the Commission. The public hearing will take place in Trenton, New Jersey.

3. Adjournment

On a motion by Commissioner DeCotiis, seconded by Commissioner Waugh and a vote of 3-0, the Commission voted to adjourn.

Respectfully submitted,



SCOTT A. WEINER
Executive Director