

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

OCTOBER 13, 1983

PRESENT

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

ABSENT

Alexander P. Waugh, Jr., Member

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 10:35 a.m. at the office of the Commission, Trenton, N. J.

1. Advisory Opinion 15-1983

The Commission reviewed a two-page October 7, 1983 advisory opinion request from Senator Gerald Cardinale, in which the Senator requested guidance on how to handle the reporting of expenditures undertaken in the matter of the reappointment of a judge. The Commission also reviewed a three-page draft advisory opinion prepared by Staff Counsel Nagy. Mr. Weiner explained how Senator Cardinale's inquiry became an advisory opinion request. After reviewing the request and the draft opinion, on a motion by Commissioner DeCotiis, seconded by Commissioner Proctor and a vote of 3-0, the Commission approved the opinion. Furthermore, the Commission directed Staff Counsel Nagy to call Senator Cardinale in light of the pending 25 day report due the next day, Friday, October 15, 1983.

2. Pending Legislation

The Commission reviewed a two-page draft letter addressed to Assembly speaker Karcher, Assembly Minority Leader Gallo and Assembly Majority Leader Doyle, a letter prepared for the Commissioners' signatures. The Commission approved the letter which was signed by each Commissioner present. Executive Director Weiner said that he had arranged to meet Commissioner Waugh to obtain his signature.

3. Meeting Schedule

Mr. Weiner noted that the Commission had decided not to meet on Monday, October 17, 1983 and that its next scheduled meeting is for Monday, November 7, the day before the 1983 general election. The Commission decided not to schedule a meeting until November 7 unless some emergent issue arises.

4. Office of Administrative Law

Mr. Weiner advised the Commission that Governor Kean's panel on the Office of Administrative Law asked the Commission to testify on its relationship and dealings with OAL. Mr. Weiner said that Mr. Nagy would be appearing before the Governor's panel in the afternoon of October 13. Mr. Nagy said he would comment on the generally good cooperation the Commission has received from OAL, specifically, the generally expeditious hearing of ELEC cases and the fact that OAL had a judge on call for emergent cases during the 1981 general election. He said he would also note, however, that OAL has not updated ELEC's regulations for a long period of time.

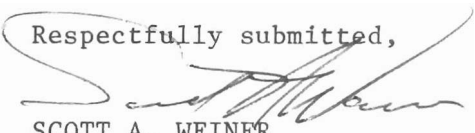
5. Executive Session

On a motion by Commissioner DeCotiis, seconded by Commissioner Proctor and a vote of 3-0, the Commission voted to go into executive session to discuss enforcement actions and investigative matters, the results of which will be made public at their conclusion.

6. Adjournment

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

Respectfully submitted,



SCOTT A. WEINER  
Executive Director