

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

MAY 2, 1984

PRESENT

Andrew C. Axtell, Chairman
Alexander P. Waugh, Jr., Vice Chairman
Haydn Proctor, Member
Scott A. Weiner, Executive Director
William R. Schmidt, Asst. 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 10:30 a.m. at the offices of the Commission, 28 West State Street, Trenton, New Jersey.

1. Resignation of the Executive Director Weiner

Executive Director Scott A. Weiner announced he was submitting his resignation effective in June to take a position with U.S. Senator Frank Lautenberg.

2. Approval of Minutes of Public Session of Commission Meeting of April 12, 1984

Commissioner Waugh noted an error on the first page wherein he is referred to as "Vice President" instead of "Vice Chairman". On a motion by Commissioner Waugh, seconded by Commissioner Proctor and a vote of 3-0, the Commission approved the minutes, as amended, of the Public Session of April 12, 1984.

3. Cost of Campaigning Draft Report

Mr. Schmidt introduced Jean Richmond and Selene Ballonoff, the two interns who assisted in the research and editing of the Cost of Campaigning Report. After discussion, on a motion by Commissioner Waugh, seconded by Commissioner Proctor, and a vote of 3-0, the Commission approved the release of the Cost of Campaigning Report. Mr. Weiner said footnotes would be added and the report edited and printed for release during the week of May 14.

4. Pending Legislation

Mr. Weiner distributed a five-page May 2, 1984 memorandum to the Commissioners concerning the fiscal impact of recommendations to amend the gubernatorial public financing program. He noted that Senator Orechio's bill, S-1523, is scheduled to be discussed at the May 14, 1984 meeting of the Senate State Government Committee. He said there is great interest in the Legislature in doing something to amend the public financing program by July 1.

Mr. Weiner said that S-1523 incorporates many of the Commission's recommendations. He said the staff would provide technical assistance to the Legislature as it considers proposals to amend the public financing program. After discussion, the Commission concluded that it had no objection to the bill in so far as it varied from the Commission's 1982 report and recommendations.

5. Fiscal Year 1985 Budget

Mr. Weiner reported on his appearance before the Legislature's Joint Appropriations Committee. He said the Committee raised only two questions about the Commission's proposed budget. One concerned the Governor's recommendation of \$4 million and an observation that it was not sufficient to provide funding of the primary and general election. The second issue concerned the language to permit advances from the general fund to the gubernatorial election fund. He said the legislative staff and the budget office were directed by the Joint Appropriations Committee to resolve the language question so as to insure full funding. Mr. Weiner said there is a commitment by both the Joint Appropriations Committee and the Governor's office to effect full and continuous funding for the public financing program. Basically, the language in the Appropriations Act will permit the Director of Budget and Accounting to provide additional money, as an advance, based on the Commission's certification, to satisfy obligations for public funds to gubernatorial candidates. This procedure is similar to that used in previous elections.

6. Citizens Research Group Conference

Mr. Weiner reported that the Citizens Research Group is holding a conference in Washington, D.C. He said he had sent a notice to the Commissioners and General Counsel Farrell for their information. Only Mr. Weiner will be attending due to conflicting schedules of the Commission members.

7. Joint Conference with the Federal Election Commission

Mr. Weiner said that he had met with Frank Reiche, FEC Commissioner, and with Bobby Werfel. Mr. Weiner said the joint conference is now scheduled for Monday, September 10, and possibly Tuesday, September 11. The Conference will be held at the Ramada Inn in Princeton. Commissioner Reiche will be the keynote speaker.

8. Amendments to Title 19

General Legal Counsel Farrell distributed a four page May 2, 1984 memorandum concerning "Legislative Initiative by Division of Criminal Justice Re: Title 19 of the New Jersey Statutes". Mr. Farrell said that under the Division of Criminal Justice's proposal most of the election law (Title 19) would be "decriminalized" and the Commission's jurisdiction greatly expanded. Mr. Farrell suggested that the Commission, after review, discuss the key issues raised in his memorandum.

9. Executive Session

Mr. Weiner said that he was immediately removing himself from any matters dealing with enforcement or investigative issues because he was leaving the Commission to take a partisan political position. He said that all such matters would be handled administratively by Assistant Executive Director Schmidt. Mr. Weiner thereupon left the Commission meeting.

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

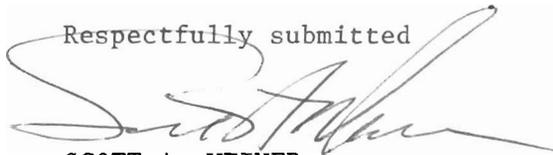
10. Meeting Schedule

The Commission decided to cancel its next regularly scheduled meeting of May 7, 1984. It decided to hold its regularly scheduled May 21, 1984 meeting.

11. Adjournment

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

Respectfully submitted



SCOTT A. WEINER
Executive Director