



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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Vice Chair

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PUBLIC SESSION MINUTES

March 18, 1998

Chair Martin, Vice Chair Linett, Commissioner Ware, the Counsel, Senior Staff, and Deputy Legal Director Nedda Gold Massar were present. Commissioner Franzese was not present at the meeting.

1. Open Public Meetings Statement

Chair Martin called the meeting to order and announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., adequate 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 11:00 a.m. at the Burlington County Office Building, Freeholders, Board Room, 49 Rancocas Road, Mount Holly, New Jersey.

2. Approval of Public Session Minutes of February 18, 1998

On a motion by Vice Chair Linett, seconded by Commissioner Ware and passed by a vote of 3-0, the Commission approved the Public Session Minutes of February 18, 1998.

3. Executive Director's Report

A. Staff Activities

Executive Director Herrmann reported that on February 24, 1998, staff released the 1997 lobbying reports. He said that for the first time, alphabetical listings of benefit passing recipients and providers and rankings of lobbyists by amounts received and spent were made available on the release date thanks to new computer technology and the hard work of Director of Compliance and Information Evelyn Ford, Systems Administrator Carol Neiman, and their staffs. The Executive

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Director said that in the past, this information had taken up to two months to compile.

According to the Executive Director spending reached a new high at \$15,700,000 and benefit passing a new low at \$53,000 following national trends. Executive Director Herrmann noted that \$7,000 in passed benefits were returned.

Executive Director Herrmann announced that on February 26, 1998, he addressed the Seton Hall Law School's Legislative Bureau about the role of ELEC in the campaign financing process. He said that he provided a background paper on the structuring of state ethics agencies to the Government Management, Information, and Technology Subcommittee of the House of Representatives. According to Executive Director Herrmann, the subcommittee conducted a hearing on the functioning of the Federal Election Committee (FEC) on March 5, 1998. He noted that one of the witnesses was ELEC's first Chair and former FEC Chair Frank Reiche.

Executive Director Herrmann stated that on March 5, 1998, Systems Administrator Carol Neiman taught a class at Rowan University on the use of the internet in studying campaign finance reporting. According to the Executive Director, she used ELEC's home page to demonstrate the use of searchable data bases and other web resources to find information. Executive Director Herrmann mentioned that from March 30 through April 3, 1998, she will be attending a national meeting sponsored by the Council of State Governments and the Center for Governmental Studies to establish a uniform electronic filing format for campaign and lobbying reporting in the United States and Canada. According to the Executive Director, it is an honor for Carol Neiman and ELEC that she was chosen to be a participant. He said that the information she brings back will be very useful to us as we move further ahead with our recomputerization project.

Executive Director Herrmann advised the Commission that Director of Compliance and Information Evelyn Ford and her staff will be conducting two spring election training sessions in Trenton on April 6 and 9, 1998.

B. Legislative Developments

Executive Director Herrmann said that he testified favorably on A-556 (Russo) before the Assembly Appropriations Committee on February 23, 1998. He said that this bill adjusts the income tax checkoff from \$1 to \$5 and provides for future inflationary adjustments every four years. Executive Director Herrmann said that it was released with an amendment to change the checkoff to \$3.

Executive Director Herrmann noted that he submitted written testimony to the Assembly State Government Committee in favor of A-935 (Augustine) on February 26, 1998. The Executive Director said that the bill extends the filing date for

Personal Financial Disclosures (PFD's) from mid-April to May 15, 1998. According to Executive Director Herrmann, this extension would not harm disclosure but would ease the administrative burden on candidates and ELEC caused by a short turn-around period.

C. 1997 Annual Report

Executive Director Herrmann presented the 1997 Annual Report and thanked Project Director Jeffrey M. Brindle and all of the staff who worked on it for a fine job. Special thanks were also in order for Elbia Zeppetelli who did the graphic design on the project. According to Executive Director Herrmann, the report is ELEC's first using its new scanning technology utilized by Mrs. Zeppetelli.

D. Annual Ethics Forms

Executive Director Herrmann reminded the Commissioners that the Annual Ethics Forms are due on May 15, 1998. He added that they should send one copy to the Executive Commission on Ethical Standards and one to the Governor's Chief Counsel. According to the Executive Director, an original signature and notarization is needed on both copies.

E. Spring Meeting Schedule

April 22, 1998 in Trenton at 10:00 a.m.

May 27, 1998 in Trenton at 11:00 a.m.

June 23, 1998 in Trenton at 11:00 a.m.

4. Gubernatorial Public Financing Hearing

The following people testified at the Gubernatorial Public Financing Hearing. For the discussion, please see the transcript recorded by a Court Reporter.

- Neil Upmeyer
- Barry Perlman
- Leonard T. Flynn, Vice Chair, New Jersey Libertarian Party and Treasurer, Sabrin for Governor

5. 1997 Annual Report

A draft of the 1997 Annual Report was circulated and the Commissioners discussed possible changes and edits. A revised draft will be reviewed and approved at the April meeting.

6. Resolution to Go Into Executive Session

On a motion by Vice Chair Linett, seconded by Commissioner Ware and passed by a vote of 3-0, the Commission resolved to go into closed Executive Session to discuss the following matters which will become public as follows:

- A. Final Decision Recommendations in violation proceedings which will not become public. However, the Final Decisions resulting from those recommendations will become public no later than 35 days after mailing.
- B. Investigative Reports of possible violations, which reports will not become public. However, any complaint generated as the result of an Investigative Report will become public no later than 50 days after mailing.

7. Adjournment

On a motion by Vice Chair Linett, seconded by Commissioner Ware and passed by a vote of 3-0, the Commission voted to adjourn at 1:30 p.m.

Respectfully submitted,

Frederick M. Herrmann, Ph.D.
Executive Director

FMH/elz