



*State of New Jersey*

## ELECTION LAW ENFORCEMENT COMMISSION

RALPH V. MARTIN  
Chair  
  
DAVID LINETT  
Vice Chair  
  
PAULA A. FRANZESE  
Commissioner  
  
LYNNAN B. WARE  
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FREDERICK M. HERRMANN, Ph.D.  
Executive Director  
  
JEFFREY M. BRINDLE  
Deputy Director  
  
GREGORY E. NAGY  
Legal Director  
  
JAMES P. WYSE  
Counsel

### PUBLIC SESSION MINUTES

November 17, 1999

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

#### 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 Seton Hall University School of Law.

#### 2. Approval of Public Session Minutes of October 20, 1999

On a motion by Commissioner Franzese, seconded by Chair Martin and passed by a vote of 2-0, the Commission approved the Public Session Minutes of October 20, 1999. Vice Chair Linett abstained.

#### 3. Executive Director's Report

##### A. Recomputerization

Executive Director Herrmann advised the Commission that ELEC continues to receive great press on its new web site. He noted that the AC Press called the site "the most significant 'Campaign Finance Reform' New Jersey has ever undertaken" and "a boon to democracy."

Executive Director Herrmann added that on October 22, 1999, Deputy Director Brindle, Director of Systems Administration Carol Neiman, Director of Administration Barbra Fasanella, and he met with members of the Governor's staff to discuss ELEC's progress on the Governor's computer initiative. At the meeting, he said, the Governor's staff congratulated the Commission on its good work so far. The Executive Director said that on November 4, 1999, ELEC introduced a new start page designed by Assistant Systems Administrator Kim Vandegrift. According to Executive Director Herrmann, it is far more attractive and easier to use than its predecessor. Executive Director Herrmann informed the Commission that the web site now contains:

- General information on the Commissioners and staff and how to contact the Commission,
- Filing requirements (who has to file and what has to be filed),
- Candidate and PAC compliance manuals,
- Reporting dates,
- A contribution limits chart,
- A report viewer,
- A contributor search mechanism,
- Summary statistics on campaign financing and lobbying,
- A list of ELEC's publications,
- Advisory opinion and complaint forms,
- Advisory Opinions,
- A list of complaints and final decisions, and
- Links to other sites including every disclosure office in the nation.

B. Budget

Executive Director Herrmann reported that on October 28, 1999, Deputy Director Brindle, Deputy Legal Director Massar, Director of Systems Administration Neiman, Director of Compliance and Information Evelyn Ford, and he met with the Office of Management and Budget's staff to discuss ELEC's budget for FY 20001. According to the Executive Director, the Office of Management and Budget was very pleased with the Commission's work on the Governor's computer initiative. The Executive Director said that the ballot statement program and the public financing program were reviewed. The Executive Director added that the Commission's web site will be used to post candidate statements in addition to mailing them with the sample ballots. He mentioned that ELEC is planning to use electronic filing as well as scanning and imaging as essential parts of the public financing program in the 2001 elections.

C. Staff Activities

Executive Director Herrmann told the Commission that on November 5, 1999, Deputy Director Brindle, Deputy Legal Director Massar, and he attended the Eagleton Institute's post-election forum about the 1999 General Assembly election. According to Executive Director Herrmann representatives from both parties, the Editor of New Jersey Reporter Magazine, and the Director of the Star-Ledger/Eagleton Poll analyzed the results of the recent contest.

Future Meeting Schedule

December 15, 1999 at 10:30 a.m. in Trenton

- The Governor has responded to ELEC's invitation for attending the commemoration of the new web site that will be held after the public session.
- Governor Whitman will be sending the State's Chief Information Officer, Wendy Rayner, to represent her.

On a motion by Vice Chair Linett, seconded by Commissioner Franzese and passed by a vote of 3-0, the Commission approved the 2000 meeting schedule.

4. Planning for Readoption of Commission Regulations

Legal Director Nagy explained that under the "Sunset" provisions of Executive Order No. 66 (1978), each New Jersey administrative agency is required to review its regulations every five years to determine if any rules are no longer necessary or otherwise require amendment. The expiration date for the Commission's regulations is August 16, 2000. Legal Director Nagy said that an internal Review Committee consisting of Public Financing Director Massar, Compliance and Information Director Ford, Review and Investigation Director Carol Hoekje, and himself will undertake a section-by-section review of the regulations.

5. Resolution to Go Into Executive Session

On a motion by Vice Chair Linett, seconded by Commissioner Franzese 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.

6. Adjournment

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On a motion by Commissioner Franzese, seconded by Vice Chair Linett and passed by a vote of 3-0, the Commission voted to adjourn at 12:30 p.m.

Respectfully submitted,

Frederick M. Herrmann, Ph.D.  
Executive Director

FMH/elz