



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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Legal Counsel

PUBLIC SESSION MINUTES

January 18, 2011

Chairman DeFilippis, Legal Counsel Wyse, and senior staff were present. Vice Chairman Timpone, Commissioner English, and Commissioner Saunders participated by telephone. Report Review Officer Lovinsky Joseph was present for the purpose of recording the minutes.

The Public Session Minutes will be available online in the Commission's website at: <http://www.elec.state.nj.us>.

The meeting convened at 10:00 a.m. in Trenton.

1. Open Public Meetings Statement

Chairman DeFilippis 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. It was also posted on the Commission's website.

2. Approval of Public Session Minutes of December 21, 2010

On a motion by Commissioner English, seconded by Commissioner Saunders and passed by a vote of 4-0, the Commission approved the Public Session Minutes of December 21, 2010 as amended by Commissioner English. Commissioner English noted her recusal from consideration of the Advisory Opinion submitted by Hugh E. DeFazio, Jr., Esq.

3. Executive Director's Report

A. Analytical Press Releases

Executive Director Brindle informed the Commissioners of the imminent release of the following analytical press releases: "Big Six" committees on January 20, county party committees on January 24, lobbyist annual financial reports on March 9, and "pay-to-play" on March 30.

The Executive Director noted that 2011 would be a major election year, and reported that the Commission would release analytical press releases relevant to the following elections: Fire Commissioner on February 19, School Board on April 27, Municipal on May 10, Runoff on June 14, and Primary on June 7. He stated that staff will analyze these elections from a campaign financial perspective.

B. Training

Executive Director Brindle announced that in anticipation of the upcoming elections, the Commission would provide treasurer and candidate training sessions on March 23, April 4, April 20, May 3, and May 18. He added that the Commission would provide PAC and political party committee training as well.

The Executive Director reported that the Commission would send a Compliance officer to the offices of the Hunterdon and Warren County Clerk for informational sessions. He noted that this would be the second year in a row in which a representative of the Commission has facilitated an informational session at the Hunterdon County Clerk's office. Executive Director Brindle stated that the informational session at the office of the Warren County Clerk was scheduled for February 26.

The Executive Director recognized Compliance Director Amy Davis' efforts in reaching out to political party committees in order to improve compliance and provide information.

C. Legislation

Executive Director Brindle informed the Commissioners of pending legislation relevant to the Commission. He reported on the progress of Senate Bill 1215, sponsored by Senators Weinberg, Goodwin, and Gordon. The Executive Director stated that the bill would require governmental affairs agents contracting with government entities to file with the Commission, and local government entities to file annual reports with the Commission as well. He reported that the bill had passed the Senate and was currently under consideration in the Assembly State Government Committee.

Executive Director Brindle further informed the Commissioners on the progress of Senate Bill 2379, sponsored by Senator Buono. He reported that this bill would require disclosure by "527" and 501(c) committees, and had moved out of the Senate State Government Committee

D. Reform New Jersey Now

The Executive Director reported on the status of the group "Reform New Jersey Now" relevant to the Commission, noting that the organization had been the subject of significant commentary in the media recently, particularly concerning "pay-to-play" allegations. He informed the Commissioners that the Commission has no jurisdiction over Reform New Jersey Now as it is a 501(c)(4) organization. Executive Director Brindle noted that Senate Bill 2379 would allow the Commission to obtain disclosure from such committees.

E. Lobbying Manual

The Executive Director announced that the Commission had produced a first-ever lobbying manual that would soon be available on the Commission website. He stated that the manual would contain summary information, forms, instructions, and relevant Advisory Opinions.

F. Parking

Executive Director Brindle informed the Commissioners of parking changes necessitated by the IRS moving into the State Street Square building nearby. He stated that the Commission had no control over these changes.

G. Winter Meeting Schedule

- February 15, 2011 at 10:00 a.m. in Trenton;
- March 15, 2011 at 10:00 a.m. in Trenton; and,
- April 26, 2011 at 10:00 a.m. in Trenton.

Vice Chairman Timpone asked what would be the potential financial impact of new legislation on the Commission's budget.

The Executive Director replied that the Commission would receive a fiscal note to assess any potential financial impact, but did not anticipate a large expense in administering new legislation.

4. Resolution to go into Executive Session

On a motion by Vice Chairman Timpone, seconded by Commissioner Saunders and passed by a vote of 4-0, the Commission resolved to go into Executive Session to discuss anticipated litigation, which will become public as follows:

- A. A report on requests from the public for investigations of possible violations, which report will not become public in order to protect the identity of informants and maintain the integrity of investigative procedures and priorities. However, any complaint alleging violations, which complaint may be generated as a result of a request for investigation, will become public not later than seven business days after mailing to the named respondents.

5. Adjournment

On a motion by Vice Chairman Timpone, seconded by Commissioner English and passed by a vote of 4-0, the Commission resolved to adjourn at 10:50 a.m.

Respectfully submitted as true and correct,

Jeffrey M. Brindle
Executive Director