



State of New Jersey

**ELECTION LAW ENFORCEMENT COMMISSION**

RALPH V. MARTIN  
Chair  
OWEN V. McNANY, III  
Vice Chair  
DAVID LINETT  
Commissioner  
WILLIAM H. ELDRIDGE  
Commissioner

Respond to:  
CN-185  
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(609) 292-8700

FREDERICK M. HERRMANN, Ph.D.  
Executive Director  
JEFFREY M. BRINDLE  
Deputy Director  
GREGORY E. NAGY  
Legal Director  
JAMES P. WYSE  
Counsel

PUBLIC SESSION MINUTES

MAY 7, 1996

The Commissioners, with the exception of Commissioner Eldridge who was not present at the beginning of the meeting, Senior Staff, the Counsel, and Deputy Legal Director Nedda Gold Massar were present.

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., 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 8:30 a.m. at the Somerset County Administration Building, Somerville, New Jersey.

2. Approval of Public Session Minutes of April 19, 1996

On a motion by Vice Chair McNany, seconded by Commissioner Linett and passed by a vote of 3-0, the Commission approved the Public Session Minutes of April 19, 1996.

3. Executive Director's Report

A. Ethics Forms Due May 15

Executive Director Herrmann reminded the Commissioners that their ethics forms are due to be submitted on May 15, 1996. Executive Director Herrmann said that one copy is filed with the Commission on Ethical Standards and one copy with the Governor's Chief Counsel. He indicated that both copies need an original signature and notarization.

B. Staff Activities

The Executive Director informed the Commission that on April 18, 1996, he attended a half-day symposium at Rutgers University on Public Internships for history majors. He said that he discussed using Rutgers University undergraduates one day per week for a semester. He said that students get three college credits for participation.

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Executive Director Herrmann said that he also met a history professor from Seton Hall University who also was interested in supplying ELEC with interns. The Executive Director said that ELEC has also been working with the Rutgers University Placement Program in obtaining interns.

Executive Director Herrmann advised the Commission that on April 25, 1996, Deputy Legal Director Nedda G. Massar and Systems Administrator Carol Neiman visited the New York City Campaign Finance Board to study its computer system. He noted that they are planning a future trip to visit the Federal Election Commission (FEC) later this spring to study its system. Ms. Neiman also attended a one-day technology seminar in late March.

Executive Director Herrmann mentioned that he is planning to attend the Public Integrity Annual Editorial Board meeting on June 29 at the American Society for Public Administration (ASPA) Conference in Atlanta. He noted that at that time he will also participate in a half-day internet workshop being held for public administrators.

Executive Director Herrmann informed the Commission that various staff members are planning to participate in the annual Northeastern Regional Conference on Lobbying (NORCOL) meeting to be held at the Princeton Marriott on July 16, 1996. He said that the Commissioners are welcome to attend.

C. Legislative Developments

Executive Director Herrmann advised the Commission that Deputy Director Jeffrey M. Brindle, Deputy Legal Director Nedda G. Massar, Director of Administration Barbra Fasanella, and he attended the Senate Budget and Appropriations Committee and the Assembly Appropriations Committee hearings on the Department of Law and Public Safety budget on April 24 and April 30, respectively.

He added that ELEC was given one written Office of Legislative Services question. According to the Executive Director, this question asked how ELEC would cope with its new responsibilities under the McIntyre Labeling Act without additional funding.

Executive Director Herrmann told the Commission that staff's answer was that for now ELEC would have to reprioritize its investigative workload. He said that staff also responded that ELEC is estimating that the new law will increase the investigative workload by 25 percent based on Connecticut's experience with similar legislation.

Executive Director Herrmann noted also that at the Senate hearing, he was asked by Senator Peter Inverso if the State is going to spend too much money on public financing in the 1997 Primary Election. The Executive Director said that he responded that staff had projected that each candidate could receive up to \$1.89 million after the mandatory inflationary adjustment is made to the 1993 figures.

The Executive Director said that he responded also that ELEC has advocated a reduction in the payout for years. According to the Executive Director, Senator Inverso also inquired about ELEC's progress in recomputerizing. Executive Director Herrmann said that he explained that the Commission has made substantial progress in this critical area.

Commissioner Eldridge arrived at 8:46 a.m.

D. Future Meetings

The Commission set the following summer schedule:

June 11, 1996 at 10:00 a.m., Trenton  
July 16, 1996 at 9:00 a.m., Trenton  
August 20, 1996 at 10:00 a.m., Trenton

After discussion, the Commission directed Executive Director Herrmann to supplement his letter to Dennis Jaffe, Executive Director of New Jersey Common Cause. The letter, dealing with public attendance at Commission meetings, was to be supplemented in another letter by noting that the three well-attended meetings in Trenton centered around major public hearings.

No members of the public were present to comment during the public comment period of the meeting.

4. Adoption of Amendments to Joint Candidates Committee Regulations

Please see the memorandum from Gregory E. Nagy, Legal Director to Frederick M. Herrmann, Executive Director, dated May 7, 1996, entitled "Adoption of Amendments To Joint Candidates Committee Regulations." It was noted that the Commission's proposal to amend its regulations concerning joint candidates committees and to delete the requirement that campaign bank accounts be named "Election Fund of..." was published in the April 1, 1996 edition of the New Jersey Register, and is ripe for adoption. Staff recommended the proposal be adopted without change. The proposed amendments are at N.J.A.C. 19:25-1.7, 4.1, and 4.2 and the proposed repeal is at N.J.A.C. 19:25-5.3.

As a result of the enactment of Chapter 194 of the Laws of 1995, a joint candidates committee may now consist of candidates seeking the offices of county executive and member of the board of chosen freeholders in the same county, or mayor and member of the municipal governing body in the same municipality. Also, the legislation necessitated changes in the information required in the certificate of organization. The name of a joint candidates committee no longer must contain the surname of all the candidates participating in it provided the committee's name identifies the legislative district, county, municipality, or other jurisdiction in which the joint candidates seek election and identifies the political party of the candidates.

Also, because of the enactment of Chapter 178 of the Laws of 1995, the requirement that bank accounts established by various committee entities bear a name stating "Election Fund of..." was deleted. These proposals implement statutory amendments.

The deadline for submitting written comments was May 3, 1996. There were no written comments received.

On a motion by Commissioner Eldridge, seconded by Vice Chair McNany and passed by a vote of 4-0, the Commission adopted the proposal and directed staff to file the notice of adoption with the Office of Administrative Law in the Department of State.

5. Resolution to Go Into Executive Session

On a motion by Vice Chair McNany, seconded by Commissioner Linett and passed by a vote of 4-0, the Commission resolved to go into closed Executive Session to discuss the following matters which will become public as follows:

1. 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.
2. 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. Return to Public Session:

On a motion by Commissioner Eldridge, seconded by Vice Chair McNany and passed by a vote of 4-0, the Commission voted to return to public session.

7. Adjournment

On a motion by Commissioner Linett, seconded by Vice Chair McNany and passed by a vote of 4-0, the Commission voted to adjourn at 9:20 a.m.

Respectfully submitted,



FREDERICK M. HERRMANN, PH.D.