



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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PUBLIC SESSION MINUTES

April 27, 2001

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

1. Open Public Meetings Statement

Vice Chair Franzese called the meeting to order and announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., notice of the meeting of the Commission was filed on April 26, 2001, with the Secretary of State's Office and distributed to the entire State House Press Corps. Vice Chair Franzese stated that the special meeting was held pursuant to N.J.S.A. 10:4-9 and was necessary to deal with urgent matters of importance and of concern to the public interest. A delay for the purpose of providing adequate notice might result in harm to the public interest. The special meeting was limited to discussion of and action with respect to the matters on April 27, 2001 agenda, and to open the meeting required an affirmative vote of three quarters of the members of the Commission that were present.

On a motion by Commissioner Ware, seconded by Commissioner Lederman and passed by a vote of 3-0, the Commission voted to open the public meeting.

The meeting convened at 12:00 noon in Trenton, New Jersey.

A Court Reporter was present to record the Public Session discussion. The transcript will be available to the public upon request.

2. Advisory Opinion Request No. 05-2001

3. 2001 Primary Election Gubernatorial Candidate Debates and Candidate Qualification Deadlines

4. McGreevey Contributions to be Submitted for Match

5. Resolution to Go Into Executive Session

On a motion by Commissioner Lederman, seconded by Commissioner Ware and passed by a vote of 3-0, the Commission went into Executive Session for the purpose of discussing the protection of public funds vis-à-vis the DiFrancesco Campaign.

6. Return to Public Session

A Court Reporter was present to record the Public Session discussion. The transcript will be available to the public upon request.

7. Protection of Public Funds

On a motion by Commissioner Ware, seconded by Commissioner Lederman and passed by a vote of 3-0, the Commission directed staff to issue a letter to 2001 primary election gubernatorial Candidate Donald DiFrancesco instructing him concerning the restrictions upon post-candidacy spending by a publicly-financed gubernatorial candidate.

On a motion by Commissioner Lederman, seconded by Commissioner Ware and passed by a vote of 3-0, the Commission directed staff not to authorize public funds to Candidate DiFrancesco for the matching fund submission filed on April 2, 2001.

8. Schundler Debate Qualification

9. Adjournment

On a motion by Commissioner Ware, seconded by Commissioner Lederman and passed by a vote of 3-0, the Commission voted to adjourn at 2:30 p.m.

Respectfully submitted,

Frederick M. Herrmann, Ph.D.
Executive Director

FMH/elz