



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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Vice Chair

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PUBLIC SESSION MINUTES

November 17, 2003

Chair Martin, Commissioner Tober, Counsel Wyse, and Senior Staff were present. Vice Chair Franzese and Commissioner Lederman participated by telephone.

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. in Trenton.

2. Approval of Public Session Minutes of October 10, 2003

On a motion by Vice Chair Franzese, seconded by Commissioner Lederman and passed by a vote of 4-0, the Commission approved the Public Session Minutes of October 10, 2003.

3. Executive Director's Report

A. Budget

Executive Director Herrmann reported that ELEC has made a number of supplementary budget requests as part of its FY-2005 planning document: According to the Executive Director, the requests include:

- \$192,000 for partial restoration of lost computer money from previous budget years;
- \$500,000 for a searchable, local contributor database to supplement ELEC's ability to identify contributors to gubernatorial and legislative candidates with the ability to identify contributors to local candidates;
- \$600,000 to administer the primary election 2005 Gubernatorial Public Financing Program;

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- \$95,000 to advertise the 2005 gubernatorial primary election debates; and,
- \$9.77 million in gubernatorial public matching funds for primary 2005 candidates.

B. Staff Activities

Executive Director Herrmann noted that Director of Compliance and Information Evelyn Ford, Director of Systems Administration Carol Neiman, and their staffs have once again done an outstanding job of getting pre-election disclosure information to the media and public.

At this juncture, the Executive Director showed the Commissioners a sample of the computerized data that was released and explained how it could be used by both reporters and citizens. Executive Director Herrmann also mentioned that reporters from New Jersey Network, the Star-Ledger, and The New York Times; a leader of a major good government organization; and even an attorney from Texas had great praise for ELEC's computerized disclosure efforts.

Executive Director Herrmann advised the Commission that COGEL has posted his remarks at the annual conference's first timers session on its web site with other conference materials. He mentioned that the talk presented an outline of COGEL's mission, structure, and activities. The Executive Director said that ELEC has been asked again to participate in Rutgers University's capital city internship program and that he will lecture on New Jersey's campaign finance and lobbying disclosure systems. According to the Executive Director, a student intern will work at the Commission during the Spring 2004 semester.

Executive Director Herrmann informed the Commission that on October 15, 2003, he was interviewed by New Jersey Network State House Correspondent Jim Hooker on spending in the 2003 general election. In the lead story on the nightly news, Herrmann reviewed the data from the 29-day reports and remarked that this year's election would be the most expensive in State history. The Executive Director added that one month before the election over \$20 million dollars has already been raised and over \$10 million had already been spent. Executive Director Herrmann said that he explained that a combination of inflation, the lack of a gubernatorial contest, the expanded use of expensive New York City/Philadelphia T.V., and the nearly equally divided control of the Legislature have contributed to the increased spending in this year's election.

C. Future Meeting Schedule

- December 10, 2003, 11:00 a.m. in Trenton.

On a motion by Commissioner Lederman, seconded by Commissioner Tober and passed by a vote of 4-0, the Commission approved the 2004 Commission Meeting Schedule.

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4. Resolution to go into Executive Session

On a motion by Commissioner Tober, seconded Commissioner Lederman and passed by a vote of 4-0, the Commission resolved to go into 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 not later than seven business days after mailing to the named respondents.
- 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 not later than seven business days after mailing to the named respondents.

5. Return to Public Session

On a motion by Commissioner Lederman, seconded by Vice Chair Franzese and passed by a vote of 4-0, the Commission voted to return to Public Session.

6. Adjournment

On a motion by Commissioner Tober, seconded by Chair Martin and passed by a vote of 4-0, the Commission voted to adjourn at 12:00 p.m.

Respectfully submitted,

Frederick M. Herrmann, Ph.D.
Executive Director

FMH/elz