

1 STATE OF NEW JERSEY
2 CIVIL UNION REVIEW COMMISSION
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4
5 IN RE: :
6 :
7 ORGANIZATIONAL MEETING. :
8 - - - - -
9
10 DATE: MONDAY, JUNE 18, 2007
11
12 TIME: 1:00 P.M.
13
14 PLACE: Walter Lucas Commission Conference Room
15 140 East Front Street
16 Trenton, New Jersey 08625
17
18
19
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1 B E F O R E :

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3 J. FRANK VESPA-PAPALEO- CHAIR

4 STEVEN GOLDSTEIN- VICE CHAIR

5 PATRICK DE ALMEIDA- EX-OFFICIO MEMBER

6 SHEILA KENNY- EX-OFFICIO MEMBER

7 ANN GUNNING- EX-OFFICIO MEMBER

8 BARBARA CASBAR SIPERSTEIN- PUBLIC MEMBER

9 REV. KEVIN E. TAYLOR- PUBLIC MEMBER

10 JOE KOMOSINSKI - EX-OFFICIO MEMBER (VIA PHONE)

11 STEVEN HYLAND- EX-OFFICIO MEMBER

12 ESTHER NEVAREZ- STAFF

13 C. J. GRIFFIN- STAFF

14 BEAR ATWOOD- STAFF

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1 (Transcript of proceedings, June
2 18, 2007, commencing at 1:00 p.m.)

3 MR. VESPA-PAPALEO: Why don't we
4 start up for the purposes of right now getting
5 this started. I'm Frank Vespa-Papaleo and I
6 call this meeting to order. Esther.

7 MS. NEVAREZ: In compliance with
8 Chapter 231 of Public Laws of '75, notice of
9 this meeting was given by way of annual notice
10 filed with the Secretary of State, the Press of
11 Atlantic City, Camden Courier Post, the Jersey
12 Journal, the Trenton Times, the Asbury Park
13 Press, the Record and the Star-Ledger.

14 Call to order. Reverend Charles
15 Blustein Ortman?

16 (No Response).

17 MS. NEVAREZ: Steven Goldstein?

18 MR. GOLDSTEIN: Here.

19 MS. NEVAREZ: Robert Bresenhan?

20 (No Response).

21 MS. NEVAREZ: Barbara Casbar
22 Siperstein?

23 MS. SIPERSTEIN: Here.

24 MS. NEVAREZ: Reverend Kevin E.
25 Taylor?

1 MR. TAYLOR: Right here.

2 MS. NEVAREZ: Patrick De Almeida?

3 MR. DE ALMEIDA: Here.

4 MS. NEVAREZ: Sheila Kenny?

5 MS. KENNY: Here.

6 MS. NEVAREZ: Erin O'Leary?

7 MS. GUNNING: Ann Gunning for Erin

8 O'Leary.

9 MS. NEVAREZ: Thank you. Joe

10 Komosinski?

11 MR. KOMOSINSKI: Here.

12 MS. NEVAREZ: Jennifer Velez?

13 (No Response).

14 MS. NEVAREZ: J. Frank

15 Vespa-Papaleo?

16 MR. VESPA-PAPALEO: Here. We will

17 stand up for the flag salute, before we

18 continue with the meeting.

19 (Flag Salute takes place).

20 Before we continue with the

21 meeting, can I have a motion on the agenda,

22 does everybody approve of the agenda? Any

23 changes to make to the agenda before we move

24 forward on it? Would somebody like to move to

25 approve the agenda?

1 MS. KENNY: So moved.

2 MS. SIPERSTEIN: I'll second it.

3 MR. VESPA-PAPALEO: All in favor of
4 the agenda say aye?

5 (Unanimous affirmative response).

6 Okay. The elections of Chair and
7 Vice Chair. Any nominations for Chair?
8 Patrick?

9 MR. DE ALMEIDA: I nominate Frank
10 Vespa-Papaleo for Chair.

11 MR. VESPA-PAPALEO: Out of order--
12 okay.

13 MS. SIPERSTEIN: Second.

14 MR. VESPA-PAPALEO: Second, Babs.
15 Any other nominations?

16 REVEREND TAYLOR: I'd like to
17 nominate Steven Goldstein as the Vice Chair.

18 MR. VESPA-PAPALEO: Any second to
19 Vice Chair?

20 MR. SIPERSTEIN: Second.

21 MR. VESPA-PAPALEO: Babs, okay. Any
22 other nominations for Chair or for Vice Chair
23 at this time.

24 (No response).

25 Okay. Then I'll close

1 nominations. All in favor? I guess we have no
2 oppositi on. We have myself for Chair, Steven
3 Goldstein Vice Chair. All in favor signify by
4 saying aye?

5 (Unani mous affi rmati ve response).

6 Any opposed?

7 (No Response).

8 Okay. Congratul ati ons, Steven.

9 MR. GOLDSTEIN: Congratul ati ons,
10 Frank, mozel tov.

11 MR. VESPA-PAPALEO: Let's revi ew
12 the legi slati ve mandate in your packets. We
13 did provide to you and hopeful ly our guests
14 also have a copy of the statutes establ i shi ng
15 Ci vi l Uni on Revi ew Commi ssi on.

16 There are seven speci fi c
17 responsi bi li ti es of thi s commi ssi on over the
18 next three years of i ts exi stence.

19 As you can see there in Secti on C,
20 i t i denti fi es the seven responsi bi li ti es.
21 Number one, to evaluate the i mplementati on,
22 operati on and effecti veness of the Ci vi l Uni on
23 Act. Number two, collect i nformati on about the
24 Act's effecti veness from members of the publi c,
25 state agenci es, pri vate and publi c sector

1 businesses and/or organizations. Three,
2 determine whether additional protections are
3 needed. Number four, collect information about
4 the recognition and treatment of civil unions
5 by other states and jurisdictions, including
6 the procedures for dissolution. Number five,
7 evaluate the effect on same sex couples, their
8 children and other family members, of being
9 provided civil unions rather than marriage.
10 Six, evaluate the financial impacts on the
11 state of same sex couples being provided civil
12 unions rather than marriage. And finally, to
13 review the Domestic Partnership Act and make
14 recommendations whether this act should be
15 repealed.

16 We have three years to complete
17 this. We are to report every six months to the
18 state legislature. So by my calculation,
19 sometime in December we should report to the
20 legislature our first six months of work and
21 progress.

22 To that end, I recommend that we
23 establish today meeting dates for the rest of
24 this calendar year. I provided in your packet
25 a proposal for meeting dates. I don't know if

1 this works for everybody or not.

2 This just picks out randomly the
3 third Wednesday of each month.

4 MS. KENNY: We're going to stick
5 with the 1:00 p.m.?

6 MR. VESPA-PAPALEO: We can do 1:00
7 p.m. It is up to you all. 1:00 p.m., the third
8 Wednesday of the month. So those would be July
9 18, August 15, September 19, October 17,
10 November 21 and December 19.

11 We can certainly utilize this room
12 if that's comfortable for the Commission. We
13 also can move the meeting to a different part
14 of the state if you all think that's necessary,
15 or a different time. Anybody have any
16 discussion on either the location or the times
17 of the meeting? Should we make them all here
18 at 1:00 p.m. or do you want to set aside now
19 having a meeting in other locations?

20 MR. DE ALMEIDA: Is this going to
21 be separate and apart from other hearings that
22 we might hold in other locations?

23 MR. VESPA-PAPALEO: These will be
24 just meetings of the Commission to get the
25 Commission work done. Then we can set aside

1 other dates for public hearings in the evening
2 or on the weekends.

3 MS. SIPERSTEIN: It would probably
4 make sense to keep it here.

5 MR. VESPA-PAPALEO: This way there
6 is some consistency. The press and the public
7 knows if they want to come to the Commission
8 meeting, this is a set date every month.

9 Well, then why don't we just for
10 making it clear, so I can actually post this,
11 maybe I'll take a motion to approve this
12 resolution of the meeting dates? Somebody like
13 to move it?

14 MS. KENNY: I'll make a motion.

15 REVEREND TAYLOR: I just want to
16 make sure, the dates and location.

17 MR. VESPA-PAPALEO: Dates and
18 location. For these dates and for this
19 location here at one o'clock on those dates.
20 Sheila has moved it. Any second?

21 REVEREND TAYLOR: I'll second it.

22 MR. VESPA-PAPALEO: Reverend
23 Taylor, okay. All in favor say aye?

24 (Unanimous affirmative response.)

25 All right. So that's our meeting

1 date schedule.

2 At this point we have some
3 reports. We have-- if anybody has a report,
4 now is the time to bring it. Perhaps we should
5 start with Joe. Would you like to give us a
6 report of the number of civil unions so far
7 recorded in New Jersey.

8 MR. KOMOSI NSKI: Sure. As of
9 Friday's date there was a total of 1,092 civil
10 unions that have been reported to the State
11 Registrar's office. 671 of those unions were
12 female couples and 421 of those unions were
13 male couples. That information was tabulated
14 at this point monthly. It is provided to our
15 press office, to the public.

16 MR. VESPA-PAPALEO: That's as of
17 June 15th?

18 MR. KOMOSI NSKI: Yes.

19 MR. VESPA-PAPALEO: Could you give
20 those numbers again, the male and female
21 numbers?

22 MR. KOMOSI NSKI: The female number
23 is 671. The male number is 421. The total is
24 1,092. There are also forty reaffirmations of
25 of civil union as well.

1 MR. VESPA-PAPALEO: Anybody have
2 any questions.

3 REVEREND TAYLOR: For the purposes
4 of language, what does reaffirmation of civil
5 union mean?

6 MR. KOMOSI NSKI: Reaffirmation is a
7 couple that has entered into a civil union in
8 another state or country. Then enters into the
9 civil union or registers a civil union here in
10 New Jersey. So it is the same process, other
11 than that there is no 72 waiting hour period
12 from the time that they apply for a
13 license until when the license becomes valid.

14 MS. SIPERSTEIN: That's in addition
15 to the 1,092?

16 MR. KOMOSI NSKI: Correct.

17 MR. VESPA-PAPALEO: Any other
18 questions? Steve?

19 MR. HYLAND: I have a question as
20 to whether we can set up some mechanism for
21 reaching out to Vermont and other states in
22 regard to New Jersey couples who may have
23 registered for civil unions in those other
24 locations, so we can get also a better idea of
25 how many couples are here.

1 MR. KOMOSINSKI: I'm sure I can
2 reach out to the other state registrars in
3 those states.

4 MS. SIPERSTEIN: Just to be a little
5 more specific, as far as those states, they
6 include not only Vermont, California, which
7 calls it domestic partnership, but, in fact, it
8 is very similar to the civil union. Are you
9 also including Massachusetts?

10 MR. KOMOSINSKI: Right, Connecticut
11 as well.

12 MR. DE ALMEIDA: Joe, can you
13 collect information from Canada as well?

14 MR. KOMOSINSKI: We can reach out
15 to Canada. We don't have any established
16 meetings with them or data exchange with them.
17 They are moving toward that in the next round
18 of contact that we have with the federal
19 government.

20 They have opened some roads of
21 communications. I do have contact people for
22 Canada. We can reach out to them as well.

23 MR. VESPA-PAPALEO: Any other
24 questions for Joe?

25 (No response).

1 I have a brief report. The
2 Division on Civil Rights now does have two
3 civil union cases that have been filed with it,
4 from Monmouth County. That's all I can say at
5 this time. They were filed last week, on
6 Wednesday, the 13th. But those are the two
7 actual complaints, verified complaints, filed
8 with our agency. Those are not inquiries to
9 our agency, those were people that came in,
10 signed all the information and have asked us to
11 actually commence an investigation of the
12 matter. So we certainly will, we'll move
13 toward that.

14 Any questions for me on that?

15 REVEREND TAYLOR: So what is the
16 reporting mechanism? As a clergy who does a
17 number of these, what is the--Pastor, I've been
18 having problems with my job, is it directed to
19 this office, is it to the Commission, what's
20 the Reporting process?

21 MR. VESPA-PAPALEO: If an
22 individual has discrimination complaint that
23 they want some redress on and it's within our
24 jurisdiction, they can certainly come to the
25 Division on Civil Rights. We have five

1 offices, Trenton, Newark, Camden, Atlantic City
2 and Paterson. Those are our five offices.

3 Our staff is already trained on
4 taking in civil union discrimination cases.
5 They don't even need an appointment. They can
6 just show up or they can call ahead of time and
7 make an appointment. Our staff is trained to
8 take in the complaint. If we have jurisdiction
9 we will then take it-- what we call file it and
10 then we will start-- we will send that to the
11 party in question, the respondent party. Then
12 we will start an investigation.

13 We do that. We receive several
14 thousand complaints a year that we
15 investigate. Yes, Steven.

16 MR. GOLDSTEIN: Hi, Frank. Just for
17 the record, as of today Garden State Equality,
18 the State LGBTI rights group, has gotten 148
19 complaints from couples who say their civil
20 unions are not producing benefits, that
21 employers are denying them benefits. Of those
22 148 cases, 84 are female couples, 64 are male
23 couples. If 1,092 folks have civil unions as
24 of last Friday, we're talking about roughly 13
25 percent.

1 You know, one of the challenges I
2 think of this Commission is, we speak to
3 folks. We say, look, file complaints with
4 government. I have to tell you, one of the
5 challenges is, couples are scared of
6 incriminations from employers. We tell them
7 the very best thing you can do is cast light on
8 the problem, file a complaint with the
9 government. Let the press report it and put
10 disinfectant on the problem. But that will be
11 a challenge on the commission.

12 I know you're getting, you said, 90
13 inquiries a month from couples with some--

14 MR. VESPA-PAPALEO: We're getting
15 about 100 inquiries a month. But about 90 of
16 them-- about 90 percent of them are regarding
17 the issue of benefits. The other ten percent
18 are about just a variety of other issues. The
19 great majority of inquiries we are getting-- by
20 inquiries, I mean telephone calls to our
21 offices and our staff.

22 I mean trainings that we've done
23 out in the community where individuals actually
24 ask us questions, e-mails to our web site
25 inquiring about their rights. Those are all

1 inquiries, yeah, about 90 of them a month.

2 MR. GOLDSTEIN: How does that
3 compare, like, with other areas of your work?

4 MR. VESPA-PAPALEO: We get about,
5 in the course of a year, about 20,000 inquiries
6 at this agency, at the Division on Civil
7 Rights. So about a hundred a month dealing
8 with civil unions would be about 1,200 a year,
9 roughly.

10 MR. GOLDSTEIN: Is that high, low?

11 MR. VESPA-PAPALEO: That would be
12 high. That is more than--that would be a
13 pretty substantial number of our yearly number
14 of inquiries, if the statistics remain the same
15 the rest of the year. But we will track that.

16 One of the things we will-- what I
17 would like to do in terms of this Commission,
18 is work with each of you. Especially those of
19 the members who are from government agencies,
20 to make sure we have some appropriate mechanism
21 to track these kinds of inquiries.

22 We're doing it at our Division
23 because that's kind of what we do all day
24 long. There are other agencies that perhaps we
25 can get some information from. So we will

1 maybe work with each of you and share what
2 we've done at the Division, in terms of a
3 reporting mechanism. Then see what we can come
4 up with.

5 So that each month that this
6 Commission meets, that can be one of the
7 numbers that can be reported back to this
8 Commission. So we can then give that
9 information to the legislature.

10 I think it would be helpful, even
11 in terms of the other Commission members here,
12 like, you were saying Steve, with an
13 organization that receives complaints,
14 inquiries or questions, it is helpful for this
15 Commission, I think, to hear those numbers as
16 well.

17 Because certainly one of the
18 responsibilities of the Commission, is to
19 report what does the public feel about this,
20 how is it working or not working? One of those
21 measures is the questions that come in, the
22 numbers of inquiries that people make to
23 attorneys, like Steve Hyland, to Garden State
24 Equality and other groups, or to the ministers.
25 Steve?

1 MR. HYLAND: It seems to me that we
2 need to have some type of informal recording
3 mechanism for reporting these things. So when
4 Steve Goldstein's organization gets things or
5 when any of the other groups throughout the
6 state are hearing something, we can at least
7 document it and submit it.

8 Often times some of the complaints
9 that I heard would be, if I got into a civil
10 union, would I have the following benefit?
11 Frankly, they are hypotheticals at that point.

12 We need a way to document what's
13 real discrimination, what perceived
14 discrimination, decide how we can respond to
15 that.

16 MR. VESPA-PAPALEO: Very good
17 point. I think what I'd like to do is maybe
18 create a little working committee to help
19 create the appropriate mechanism for that. I
20 welcome any of you who are interested in
21 helping us devise that. Let me know after the
22 meeting. So we can maybe try to come up with a
23 recommendation before the next meeting to set up
24 the appropriate mechanism, something that
25 reportable, that makes sense.

1 Any other reports? We've heard
2 that one from the Registrar, my office, Garden
3 State Equality. Any of the other Commission
4 members have reports?

5 MR. DE ALMEIDA: I have a brief
6 report. I just want to provide to the
7 Commission members the two formal opinions that
8 have been issued by the Attorney General
9 interpreting the civil union statute. You are
10 probably familiar with the first one. It was
11 issued on January 10th of 2007.

12 That's the opinion that says that
13 anyone who is regularly available to solemnize
14 marriages, must also be regularly available to
15 solemnize civil unions.

16 The other opinion was issued on
17 February 16th, 2007. That opinion concerns
18 recognition of same sex marriages, civil
19 unions, domestic partnership and similar
20 relationships from other states, foreign
21 nations and how they will be treated under New
22 Jersey law.

23 I have copies of both of those for
24 each Commission member that I can distribute at
25 the end of the meeting. That's my only report.

1 MR. VESPA-PAPALEO: Thank you. Any
2 questions for Patrick?

3 (No Response).

4 Any other Commissioners have any
5 report, anything that they'd like to report?

6 (No response).

7 Let's go on to some administrative
8 issues. There are a few things that I wanted
9 to bring up and hear what you all think about
10 this. First of all, in your packet-- our
11 staff, I want to point some of them out to you,
12 so that you get a chance meet them. Esther
13 Nevarez is our liaison from the Division. Bear
14 Atwood is also liaison to the Commission. C. J.
15 Griffin is our summer intern, assisting us as
16 well. Oh, there he is. Ben Mistrich is one of
17 our attorneys and also assisting with the
18 Commission.

19 There is a little form in there, a
20 contact sheet. If you wouldn't mind taking a
21 look at that, filling it out, giving it to me
22 or to one of our staff members. That is so that
23 we have all the correct information.

24 I tried to gather what I could
25 before this meeting. Some of it may be

1 inaccurate. I wanted to make sure it is
2 correct.

3 Now, as you can hear, Joe is
4 joining us by phone today, because this meeting
5 was put together pretty quickly. Are you all
6 okay with allowing Commissioners to join us by
7 phone if they can't make it in person? Is that
8 okay with everybody? I just want to make sure
9 there are no objections to that. Joe, you
10 don't have any objection, do you?

11 MR. KOMOSINSKI: Not at all.

12 MR. VESPA-PAPALEO: We talked about
13 having some hearings going forward. Since we
14 do have to report to the legislature twice a
15 year, I guess we should really commit ourselves
16 to having at least one, maybe two public
17 hearings every six months, prior to the time we
18 have to report to the legislature. Anybody
19 have any thoughts on that.

20 MR. DE ALMEIDA: I agree. I think
21 it is essential that we have public hearings,
22 at times that are convenient for the public to
23 attend.

24 REVEREND TAYLOR: For the public.

25 MR. VESPA-PAPALEO: Any comments?

1 Steven.

2 MR. HYLAND: Frank, I want to make
3 sure that public meetings are held in different
4 locations throughout the state, so they are
5 accessible. A lot of people from South Jersey
6 are not going to come to Trenton or up to North
7 Jersey or vice versa. Is it possible to locate
8 some venues for those meetings?

9 MR. VESPA-PAPALEO: Yeah. I'll work
10 with our staff to try to obtain some venues
11 that are accessible to people at different
12 times, to see if we can do a south and a
13 north. Maybe even at a time that's not in the
14 middle of the work day. So that we do get
15 families. We do have make to sure that
16 families do get their input into this.

17 I also wonder, should there also be
18 some other mechanism for those that maybe can't
19 attend a hearing, because of family
20 obligations, work obligations? Should we think
21 at some point of maybe establishing some e-mail
22 address or an account so that we can take--

23 REVEREND TAYLOR: The report can
24 speak to that as well, that we talked about
25 formul ating.

1 MS. KENNY: Could we have a web
2 site where say our interim reports get put up,
3 so then the public can see it? Just sort of
4 the basics of when we are having our meetings.
5 Maybe people could submit testimony or
6 something they want to share at the public
7 hearing but they can't attend. That would be
8 noticed there.

9 REVEREND TAYLOR: That would be
10 really good, that for whatever reason there is
11 any kind of concern about retribution they can
12 also be allowed.

13 MS. KENNY: If they don't want to
14 be on--yeah.

15 MR. GOLDSTEIN: That would be great.
16 This is going to sound a little Dateline
17 NBC-ish, but we have a lot of folks who want to
18 testify before the Commission, but they
19 actually asked to what extent can their
20 identity be obscured? Do they have give their
21 last names? Do they have to say where they
22 work? I don't know how you feel about that.

23 MR. VESPA-PAPALEO: I mean
24 personally, we would have to look into it a
25 little more. But I don't think there would be

1 anything wrong with allowing people to testify,
2 so long as it is really testimony and they are
3 not engaging in otherwise improper conduct, you
4 know, slanderous or libelous statements.

5 So long as they are testifying
6 about their feelings on the law we can probably
7 provide some mechanism for people to have that
8 need. We can probably discuss that at the next
9 meeting, once we come up with sort of what
10 system to do this.

11 In terms of a web site, obviously,
12 my office does have a web site. We can
13 probably create-- I'll talk to the web people
14 that do our work, see if we can create a simple
15 link from our web site, so we can put the
16 reports out, the list of the Commission
17 members, the contact, that kind of information
18 maybe. That can be a mechanism for people to
19 e-mail.

20 That's what we do at the Division.
21 We do have some sort of a generic e-mail where
22 people can go to the web site. They e-mail us
23 questions and reply to them. Sometimes people
24 do send us anonymous questions. We don't
25 really know their contact information. We

1 probably can get that.

2 MS. KENNY: I think you have an
3 mailbox that would be to the Commission. I
4 think we would get a lot of inquiries that way
5 or comments.

6 MS. SIPERSTEIN: I think that would
7 be very effective, especially since everyone
8 would have access to it. We could communicate
9 certainly through all the different local and
10 especially groups throughout the state, to
11 communicate that much more effectively than
12 strictly a governmental agent issuing a
13 promulgation. I think that would be
14 widespread.

15 MR. VESPA-PAPALEO: I'll report
16 back at the next meeting on the issue of the
17 web site, to what extent would we have been
18 able to move forward on that. I have to talk
19 to some of our tech people. I'm sure it is
20 doable. I'm not sure how quickly that can
21 happen.

22 One of the-- actually, that's all I
23 have had in terms of administrative issues.
24 Anybody else have anything else they would like
25 to bring up at this time in terms of this

1 Commission, its administrative functions,
2 anything?

3 MR. DE ALMEIDA: I think the
4 Commission should consider forming a
5 subcommittees very early in our tenure, given
6 the scope of the seven charges that we-- the
7 number seven alone seems like an entirely
8 separate topic. We might benefit from
9 separating some of the issues and looking at
10 them in-depth in smaller groups.

11 MR. VESPA-PAPALEO: How about--

12 MS. SIPERSTEIN: I think you need a
13 senior on that to talk about number seven.

14 MR. DE ALMEIDA: Joe, you might
15 want to add that to your data gathering,
16 information on domestic partnerships.

17 MR. KOMOSINSKI: I can do that as
18 well.

19 MR. VESPA-PAPALEO: How about we
20 think about, for the next meeting, some of the
21 subcommittees. I'll think about it too. I'll
22 circulate a list to everybody, to think about
23 the appropriate subcommittees for us to
24 establish.

25 MR. DE ALMEIDA: How about we banty

1 that about before the meeting?

2 MR. VESPA-PAPALEO: All right.

3 MR. GOLDSTEIN: Are we allowed to
4 hire staff if they are willing to do it pro
5 bono? In other words, if you take the budget
6 consideration, like, if there are attorneys,
7 you know, others out there. I know the law
8 doesn't provide for staff and everybody knows
9 budget is tight, having nothing to do with this
10 issue. Are we allowed to do that?

11 MR. VESPA-PAPALEO: I don't know. I
12 think we would have to look into that. I can't
13 say for sure right now.

14 MR. DE ALMEIDA: Attorneys will be a
15 difficult question because of the the Attorney
16 General's exclusive representation
17 representation. Other people who want to
18 donate their time might be able to do that. We
19 might be able to get money to hire experts. I
20 thought about that question. I've spoken to
21 some financial people at the Department of Law
22 and Public Safety.

23 A few of these things we're going
24 to need expert input, particularly the
25 financial impact on the state of various

1 things. If we can get a professor at Rutgers
2 to donate their time to do that kind of
3 research, I'm sure we can accept that.

4 MR. GOLDSTEIN: What does it mean
5 that the AG has exclusive representation? How
6 would it affect hiring counsel if there is no
7 cost?

8 MR. DE ALMEIDA: Only the Attorney
9 General can represent state entities. The
10 attorney could not represent the Commission.
11 The Attorney General provides information,
12 that's why they couldn't provide legal
13 representation to the Commission. If they want
14 to collect data.

15 MS. KENNY: If there was an
16 attorney that did some discreet research on an
17 issue and presented it at one of our hearings
18 for us to review, I don't think that's
19 representing us.

20 MS. SIPERSTEIN: I'm sure Casino an
21 attorney could consult with the State
22 Commission, with the Attorney General, to help.

23 MR. VESPA-PAPALEO: I certainly
24 hope that, you know, as we do these public
25 hearings, that we do hear from the Bar. Part

1 of the implementation of this law is what's the
2 effect on the legal community that represents
3 parties in all places. They are going to-- you
4 know, I know the State Bar Association has, you
5 know, some very substantial individuals and
6 groups that speak to these issues. So we will
7 probably make sure we reach out to them, so
8 that they are heard as well. Steven.

9 MR. HYLAND: I was going to mention
10 that the State Bar Association as an interest
11 through its legislative liaison, Valerie Brown.
12 She and I have already discussed as to whether
13 I can at least act in some capacity as a member
14 of the Bar and soon to be a member of the
15 Commission, in a way as a liaison between the
16 Bar Association. So that any changes to rules,
17 regulations, legislation that we may find
18 necessary, can be vetted by this section of the
19 Bar. We can similarly get input from them.

20 I'm also thinking, in terms of
21 Steven's question, there is some ability to
22 fund, to employ stenographic, clerical
23 assistance and other expenses. But we need to
24 find out, establish some sort of a budget and
25 find out where those funds are going to be

1 coming from for that budget.

2 I mean, clearly we don't know we
3 have right now, if anything. We need to
4 establish that.

5 MR. DE ALMEIDA: There has been no
6 appropriation for the Commission from the
7 legislature. We are looking for money from the
8 Department of Law and Public Safety. If we can
9 use some of that money there for clerical staff
10 and others.

11 MR. GOLDSTEIN: There has been no
12 appropriation for the fiscal year budget or
13 next year?

14 MR. DE ALMEIDA: The draft budget
15 doesn't have anything.

16 MR. VESPA-PAPALEO: Just so you
17 know, there is a stenographer recording today's
18 meeting. I want to make sure we had that. If
19 we decide to go forward with that, there is a
20 cost to that. The costs for today's meeting
21 right now are being absorbed by the Division of
22 Civil Rights, which has its own budgetary
23 issues. It is an issue. So to the extent that
24 we can get people volunteering to assist us, I
25 think we should explore that. Maybe that could

1 be one of the committee assignments going
2 forward.

3 We will, obviously, have to check
4 to make sure if it meets with the ethical rules
5 that we're under. Because this is within the
6 Department of Law and Public Safety, which has
7 very, very severe and finite ethics
8 restrictions, that may not apply in other
9 places, but certainly do apply at Law and
10 Public Safety. We want to make sure that we're
11 clear with those.

12 MR. HYLAND: Frank, can I get some
13 clarification also from the AG's office in
14 regard to e-mail correspondence between members
15 of the Commission. What restrictions there are
16 on that, what becomes public record? I mean
17 because I know that we all tend to e-mail each
18 other from time to time. To the extent that
19 anything is discussed that has to do with
20 Commission business, we need to be careful on
21 that.

22 MR. DE ALMEIDA: That's correct.
23 Anything concerning commission business, any
24 e-mail exchanges could be deemed to be a public
25 record and be subject to disclosure. Even some

1 of the personal accounts on your Blackberrys,
2 so keep that in mind when communicating.

3 MR. HYLAND: Are there any
4 guidelines that the State has or the Attorney
5 General's office might have for Commission
6 members in that regard?

7 MR. DE ALMEIDA: I can do some
8 research and see. I don't believe there are
9 guidelines, other than making people aware of
10 the fact that their communications can be
11 disclosed.

12 MR. VESPA-PAPALEO: Anything else
13 with regard to the administrative functions?
14 We're on miscellaneous, I guess. We'll move
15 into that. Anything else before we move to
16 adjourn, anyone?

17 (No response).

18 Okay. We'll be back here July 18,
19 2007 at 1:00 p.m. I'll take a motion to adjourn
20 this meeting?

21 MS. SIPERSTEIN: So moved.

22 MR. VESPA-PAPALEO: Babs.

23 REVEREND TAYLOR: Second.

24 MR. VESPA-PAPALEO: Thank you
25 Reverend Taylor. All in favor of adjournment

1 say aye.

2 (Unani mous affi rmati ve response).

3 We are adj ourned. Thank you.

4 MS. NEVAREZ: Before you l eave I do
5 need your contact i nformati on form. Pl ease
6 ci rcl e how you want to be reached.

7 MR. VESPA-PAPALEO: Joe, we wi ll
8 e-mai l that contact form to you.

9 MR. KOMOSI NSKI : Okay, great.

10 MR. VESPA-PAPALEO: Thank you very
11 much.

12 (Whereupon, the matter stands
13 adj ourned at 1: 40 p. m.)

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C E R T I F I C A T E

I, CHARLES R. SENDERS, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, do hereby certify that prior to the commencement of the examination, the witness was duly sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

CHARLES R. SENDERS, CSR NO. 596.