

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

MAY 21, 1985

PRESENT:

Andrew C. Axtell, Chairman
Alexander P. Waugh, Jr., Vice Chairman
Haydn Proctor, Member
Owen V. McNany, Member
Frederick M. Herrmann, Executive Director
Jeffrey M. Brindle, Deputy Director
Gregory E. Nagy, Staff Counsel
Peter D. Nichols, Director of Public Financing*

ABSENT:

Edward J. Farrell,
General Counsel

* Attended the public session only

Chairman Axtell called the meeting to order and announced that pursuant to the "Open Public Meetings Act," P.L. 1974, c. 231, annual notice of the meeting of the Commission has been filed with the Secretary of State's office and distributed to the entire State House press corps.

The meeting convened at 10:00 a.m. at the office of the Commission, 28 West State Street, Trenton, New Jersey.

1. Approval of Public Session Minutes of May 14, 1985

On a motion by Vice Chairman Waugh, seconded by Commissioner Proctor and a vote of 4-0, the Commission approved the public session minutes of May 14, 1985 as amended.

2. Executive Director's Report

Executive Director Herrmann reported that Deputy Director Brindle and he have been working on simplifying various office procedures. Mr. Herrmann said that one area in the office that needs simplification is paperflow. At this time, there are numerous memoranda written "to files" and to intraoffice personnel. He said that in most instances these memoranda are unnecessary, resulting in entirely too much paperwork to read and process. Moreover, many staff memoranda to the Commission are too verbose and can be reduced in length without depriving the commissioners of necessary information.

Mr. Herrmann distributed newly created forms and reviewed them with the Commission. These forms are designed to give the Commission the information it needs to make informed decisions. They are also designed to discourage the inclusion of superfluous information not central to the issue under consideration. The resultant reduction in paperwork will improve overall efficiency among both secretarial and professional staff.

The three forms that Mr. Herrmann reviewed were:

- Extension Request Data Form - Mr. Herrmann said that the extensions are now handled administratively, rather than by the Executive Director (as in the past). The caller's information is entered on the extension request data form, his files checked for previous extension requests, and then a staff decision is made on whether or not he or she will be granted an extension.
- Bill Comment Form - Mr. Herrmann stated that Deputy Director Brindle developed this form for bills, in lieu of memoranda. The form is designed to state the purpose of the bill, its sponsors, history, the Commission's position, and other pertinent information.
- Final Decision Recommendation - This form will enable the secretarial staff to enter the information given to them by the professional staff. It has sections for critical information such as respondents, docket number, election, etc. By presenting this material in an orderly and uniform manner, it will make the Commissioners' work in reaching decisions much simpler.

All these forms, along with other forms being drafted, are on the computer for easy accessibility.

Mr. Herrmann stated that Louis Cotrona, of the New York Temporary Commission on Lobbying, called and thanked him for helping to set up a regional lobbying group that will probably meet annually at the Council of State Government's regional summer meeting. Mr. Herrmann said that lobbying is a very important issue for the Commission because of the need to strengthen lobbying laws in New Jersey.

Mr. Herrmann said that the senior staff and he met with Prime and Cogent representatives on Monday, May 20 and will meet again on Thursday, May 30. The purpose of the May 20 meeting was to set deadlines; these deadlines are June 17 for the campaign financing module, August 15 for the quarterly (continuing political committee) module, and October 1 for the lobbying module. He said that further problems are not anticipated because staff is keeping a close watch on Cogent's progress. He also said that he will continue to keep the Commission informed as to the progress of the computer project.

Mr. Herrmann said that he received two resignations from staff members this week. Theresa Picarello and Larry Hopkins, both report examiners, are leaving on May 31 and June 14 respectively. He said that they are leaving because they have been offered jobs in the private sector that are consistent with their career goals. He said that their seeking of new jobs was mainly precipitated by the uncertainty fostered by the impending report examiner exam, especially in the case of Miss Picarello who was ineligible to take it because of lack of time in service. He stated that the Commission may be losing another report examiner who is ineligible to take the test. Mr. Brindle and he are going to contact Civil Service to explore all options open to the

Commission regarding the rehiring of new report examiners, but in the end will probably hire from a Civil Service list of examination applicants, some of whom may be former Commission employees.

Mr. Herrmann reported that pursuant to a suggestion from Vice Chairman Waugh, he is working on the possibility of having some of the Commission meeting costs allocated to the public financing budget. He said that perhaps 20% of the Commissioners' per diem salaries, and also part of General Counsel Farrell's work related to the program can be charged to this fund.

Future meeting dates were discussed. The next meeting will take place on Wednesday, May 29, 1985 at 10:00 a.m. in the Commission office in Trenton. The meeting previously scheduled for June 4 was changed to June 3 at 10:00 a.m. in the Commission offices.

3. Director of Public Financing's Report

Director of Public Financing Nichols reported that last week the Commission received five submissions for public matching funds. He said that the campaigns all did very well, with error rates of 10 percent or less. He said that in view of the low error ratio, he recommends that the percentage for pre-review certification be increased to 90 percent.

Mr. Nichols said that the net amounts that he found eligible for certification after review of the May 13, 1985 submissions/resubmissions are:

Robert J. Del Tufo	\$ 4,110.00
Kenneth A. Gibson	5,778.00
Thomas H. Kean	2,206.40
Peter Shapiro	23,581.20
Stephen B. Wiley	22,973.39

He said that at a 90 percent pre-review certification rate for applications made on Monday, May 20, the following amounts could be added:

Robert J. Del Tufo	\$64,188.00	=	\$68,298.00
Kenneth A. Gibson	37,182.89	=	42,961.69
Peter Shapiro	41,218.40	=	64,799.60
Stephen B. Wiley	58,584.60	=	81,557.99

To date the total public matching funds that have been certified to candidates are:

Thomas H. Kean	\$643,572.40	Maximum
John F. Russo	643,572.40	Maximum
Peter Shapiro	643,572.40	Maximum
Stephen B. Wiley	578,789.54	
Kenneth A. Gibson	533,320.23	

Robert J. Del Tufo

350,644.42
\$ 3,393,471.39

On a motion by Vice Chairman Waugh, seconded by Commissioner Proctor and a vote of 4-0, the Commission voted to approve the submission for certification.

4. Executive Session

On a motion by Commissioner Proctor, seconded by Commissioner McNany and a vote of 4-0, the Commission voted to go into executive session to discuss enforcement and investigative matters, the results of which will be made public at their conclusion. A personnel matter was also to be discussed.

5. Adjournment

On a motion by Commissioner Proctor, seconded by Commissioner McNany and a vote of 4-0, the Commission voted to adjourn.

Respectfully submitted,



FREDERICK M. HERRMANN