

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

PUBLIC SESSION MINUTES

SEPTEMBER 11, 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  
Sandra L. Magee, Administrative Assistant

ABSENT:

Edward J. Farrell,  
General Counsel

Chairman Axtell called the telephonic meeting to order and asked Executive Director Herrmann to read the open public meeting statement.

Mr. Herrmann 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 10:02 a.m. at the office of the Commission, 28 West State Street, Trenton, New Jersey.

1. Public Financing Certification

Executive Director Herrmann reviewed the public financing certification for the campaign of gubernatorial candidate Peter Shapiro. Mr. Herrmann said the campaign made its submission on Monday, September 9, 1985. He said that the Commissioners would be voting to certify \$375,000 to the Shapiro '85 committee, or a match percentage of 75%. He said that the \$375,000 figure was derived as follows:

\$300,000	-	submission
<u>- 50,000</u>	-	threshold amount
\$250,000	-	matchable net amount
<u>x 75%</u>	-	automatic certification ratio

\$187,500 @ at 2:1 matching ration = \$375,000 total funds

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.

2. Friends of Governor Tom Kean v.  
the New Jersey Election Law Enforcement Commission

Executive Director Herrmann announced that on Tuesday, September 10, 1985 at approximately 5:15 p.m. he called General Counsel Edward Farrell's office and was advised by Mr. Farrell's secretary that Judge Simpson of the Appellate Division of the New Jersey Superior Court had denied the Commission's request for a stay. He said that Mr. Farrell is now working on the papers to present to the New Jersey Supreme Court for a stay of the Appellate Division's ruling. Responding to a question by Commissioner McNany as to reasons given by Judge Simpson for refusing to issue a stay, Mr. Herrmann said that Mr. Farrell had not as yet informed him of the particulars of the decision. He said that he had been told by Mr. Farrell's secretary that Lisa J. Pollak of Mr. Farrell's firm, had argued for the stay.

3. Meeting Date

Executive Director Herrmann announced that the next meeting date is Tuesday, September 17, 1985, at the office of General Staff Counsel Farrell, of Farrell, Curtis, Carlin and Davidson, 43 Maple Avenue, Morristown, New Jersey. Vice Chairman Waugh asked that the meeting time be changed from 10:00 a.m. to 1:00 p.m. The Commission agreed to this time change.

4. Adjournment

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

Respectfully submitted,



FREDERICK M. HERRMANN  
Executive Director