



NEWS RELEASE

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FOR RELEASE:
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PRESS ADVISORY

The Election Law Enforcement Commission has proposed a repeal of its regulation setting forth specific office hours. While the Commission has no immediate plans to change its office hours, budget cuts may compel the Commission in the future to curtail its office hours as well as other operations. Accordingly, the Commission has proposed that its regulations setting forth specific office hours be repealed so that it presents no impediment to any necessary immediate actions.

The Commission has also proposed a modest increase in its fees for photocopies and computer-generated data. These fees reflect inflation and increased costs of materials.

A copy of the proposals discussed above is attached.

Written comments on the above proposals should be sent by February 1, 1990.

Full text of the proposal follows (additions indicated in boldface text; deletions indicated in brackets (thus)):

19:25-2.2 [Hours of operation] (Reserved)

[The office of the commission is open for the filing of documents and for other commission business (except for public inspection of documents) from 9:00 A.M. to 5:00 P.M., Monday through Friday, holidays excepted. The office of the commission is open for public inspection of documents from 9:15 A.M. to 4:45 P.M., Monday through Friday, holidays excepted. The public may obtain information or make submissions or requests concerning any commission matter at the commission offices, or by telephone.]

19:25-2.4 Copies of documents: fees

[(a) Any person shall, upon request, be provided copies of the documents referred to in N.J.A.C. 19:25-2.3 at the following rates:

1. \$0.15 per page up to the first 50 pages of photocopying, and \$0.10 per page thereafter;
2. \$0.40 per page for records produced from microfilm; and
3. At cost to the commission for production of information in computer printout or tape format.]

(a) Photocopies of documents maintained by the Commission pursuant to N.J.A.C. 19:25-2.3 shall be provided at a fee of \$0.15 per page, and for purposes of establishing fees under this section a two-sided photocopy shall be deemed as two pages.

(b) Computer-generated data shall be provided at the following fees:

1. \$0.10 per page (approximately 15 inches by 8-1/2 inches) of computer-printed data;
2. \$0.10 per computer-printed gummed, address label; and
3. \$125.00 per magnetic, 9-track computer tape (approximately 3,600 feet).

(c) The above fees shall be due and payable at such time as the photocopies or computer-generated data has been prepared.

OTHER AGENCIES

(a)

ELECTION LAW ENFORCEMENT COMMISSION

Office Hours and Copying Fees

Proposed Repeal: N.J.A.C. 19:25-2.2

Proposed Amendment: N.J.A.C. 19:25-2.4

Authorized By: The Election Law Enforcement Commission,

Frederick M. Herrmann, Ph.D., Executive Director.

Authority: N.J.S.A. 19:44A-6.

Proposal Number: PRN 1990-11.

Submit written comments by February 1, 1990 to:

Gregory E. Nagy, Legal Director
Election Law Enforcement Commission
National State Bank Building, 12th Floor
CN 185

Trenton, New Jersey 08625-0185

The agency proposal follows:

Summary

The Election Law Enforcement Commission (hereafter, the "Commission") proposes to repeal N.J.A.C. 19:25-2.2, Hours of operation, and to amend N.J.A.C. 19:25-2.4, Copies of documents: fees.

The Commission currently has no plans to change or curtail its hours of operation as described in N.J.A.C. 19:25-2.2. However, the possibility of substantial budget cuts may compel the Commission to curtail many of its operations at a future date, including its hours of operation for purposes of public access. Should that unfortunate necessity arise, the Commission must be in a position to implement cost saving measures expeditiously. Therefore, the Commission believes N.J.A.C. 19:25-2.2 should be repealed so that it does not present any impediment to immediate action.

The Commission has not made any adjustment in its copying fees since 1984 (see 16 N.J.R. 1044a) and 2154a). The amendment increases the fees for photocopies and computer-generated data to reflect increased costs to the Commission in materials and equipment. The Commission also is proposing a specific price for a computer tape with campaign finance data at \$125.00 per tape. The copying fee for microfilm records is proposed for elimination because microfilm records are no longer in use.

Social Impact

The increase in copying fees and the possible future curtailment of hours of operation will make access to campaign finance records somewhat more expensive and difficult for candidates, treasurers, the press and other users of this information. However, the Commission believes that the increase in copying fees is relatively modest and justified by inflation and increased costs of materials and copying equipment. The Commission hopes it will not become necessary to curtail its hours of operation.

Economic Impact

The costs of obtaining copies of documents and computer-generated records will be higher for persons desiring such copies. However, the Commission believes these costs remain relatively modest. While the costs to candidates or political entities for receiving copies of Commission documents and records will rise, the amount of funds being contributed to candidates and political entities has risen dramatically and these increases should not prove overly burdensome.

Regulatory Flexibility Statement

The proposed repeal and amendment do not impose any requirements on small businesses, as that term is defined under the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rule changes affect users of Commission information and data.