



# PRESIDENTIAL NEWSLETTER

May 14, 1999

## GENERAL MEMBERSHIP MEETING ANNOUNCEMENT

The next general membership meeting will be held on June 7, 1999 at the Rutgers Labor Education Center on Ryders Lane in New Brunswick, NJ, from 7:00 p.m. to 9:00 p.m. The committee chairpersons of PANJ will give reports on their plans and progress, but the primary purpose of this meeting is to provide the general membership with an opportunity to vote on the proposed amendment to the PANJ Bylaws. The text of the proposed amendment and an article in support of same follow. The PANJ Executive Board has unanimously endorsed this amendment for consideration by the members, and recommends approval.

### PROPOSED RESOLUTION TO AMEND PANJ BYLAWS

**Purpose:** To amend Article VII, Committees, of the PANJ Bylaws to add a new Section 4 to establish a continuing Political Action Committee to secure and disburse funds to support state legislation beneficial to the membership of the Association, to block and/or amend State Legislation which is detrimental to the membership and to support candidates for state elected offices whose platforms are consistent with the goals and objectives of the Association.

**Change:** The proposed amendment shall be added to Article VII, Committees as Section 4 of the Bylaws, and shall provide as follows:

#### **Section 4. PANJ Continuing Political Action Committee**

A . PANJ shall establish a continuing Political Action Committee ("PANJ PAC") to acquire funds and, under the guidance of the Legislative Committee, to disburse funds. PANJ PAC will choose to support or remain neutral toward legislation supported by the Legislative Committee; oppose or remain neutral toward legislation opposed by the Legislative Committee; support or remain neutral toward candidates supported

by the Legislative Committee; and oppose or remain neutral toward candidates opposed by the Legislative Committee. The Association shall be registered as a Continuing Political Committee with the State of New Jersey Election Law Enforcement Commission ("Commission"), which is the administrative agency designated to regulate the activities of Continuing Political Committee's or PAC'S. The PANJ PAC must be registered with the Commission and must file with the Commission not later than January 15, April 15, July 15 and October 15 of each calendar year, quarterly reports of all expenditures and monies, loans, paid personal services or other things of value contributed to the PANJ PAC during each quarter and the period up to the quarter commencing on January 1 of the calendar year.

B. The PANJ PAC shall be governed by a Board of Directors comprised of the Association President, the Legislative Committee Chairperson, the PANJ Treasurer, and three (3) other members, one from each of the three (3) regions, appointed by the President and subject to approval of the Executive Board. All directors shall be at least eighteen (18) years old and residents of the State of New Jersey. The term of the regional representatives shall be two (2) years, subject to reappointment. At the end of the term, the President will recommend to the Executive Board that the member either be re-appointed to a new two-year term or be replaced by an individual proposed by the President. The Executive Board shall approve or reject the President's appointment by a simple majority of the members present.

C. The funds of the PANJ PAC shall be audited annually by the Executive Board of the Association through the Finance Committee and a report shall be made annually. Funds from the PANJ PAC will be collected from fund-raisers, voluntary contributions made directly by members of the Association or, where permissible, by various locals of the Association. Fundraising activities shall abide by applicable New Jersey laws and regulations prohibiting receiving contributions from certain organizations, including banks, casinos, insurance companies, and public utilities under N.J.S.A. Section 19:34-32.

D. The Association President shall be an ex-officio member of the PANJ PAC Board of Directors. The Committee shall select a Chairperson who shall serve for two years and who shall select a Vice Chairperson from among the Board of Directors to preside over all Board of Directors' meetings in the absence of the Chairperson.

E. The Association's Treasurer shall also serve as Treasurer for the PANJ PAC. As Treasurer for the PANJ PAC, the Treasurer shall receive all monies collected by or contributed to the PANJ PAC, he/she shall disburse all monies so collected and directed by the Board of Directors of the PANJ PAC, and he/she shall have authorization to execute all checks issued by the PANJ PAC or directed to be issued by the Board of Directors. As Treasurer for the

PANJ PAC, the Treasurer shall also submit his/her records and quarterly reports for an examination by the Board of Directors at its quarterly meetings. The quarterly report shall be due no later than 14 days prior to the quarterly meeting. Pursuant to the registration requirements of the Commission, the Treasurer of the PANJ PAC shall file with the Commission, not later than January 15, April 15, July 15 and October 15 of each calendar year, quarterly reports of all expenditures and monies, loans, paid personal services or other things of value contributed to the PANJ PAC during each quarter and the period up to the quarter commencing on January 1 of that calendar year. Quarterly reports shall be kept on file by PANJ PAC for at least four (4) years.

F. The Board of Directors of the PANJ PAC shall meet quarterly in the months of January, April, July and October, but no later than the 151 day of each of these months, or any other time when necessary, at which the Board of Trustees may review the quarterly reports of the PANJ PAC Treasurer which are to be filed with the Commission and to conduct routine business relating to the PANJ PAC. A quorum of Board of Directors for conducting routine business shall be three members.

1. The Board of Directors of PANJ PAC shall approve the disbursements of all funds from the PANJ PAC. The majority vote of the members present is required for payment of routine bills.

2. Campaign contributions constitute "special bills" and require a majority vote of the entire Board of Directors. All outgoing contributions shall adhere to the contributions limits set forth in N.J.A.C. Section 19:25-11.2.

3. A meeting of the Board of Directors is not required for approving expenditures of funds. A telephonic vote of the members of the Board of Directors shall also constitute an accepted means for approving expenditures of funds from the PANJ PAC.

4. There shall be two signatures required on any and all checks drawn against the funds of the PANJ PAC. The Association President, the Association Financial Secretary and the PANJ PAC Treasurer shall act as signatories on all checks.

G. All funds of the PANJ PAC shall be kept in an interest-bearing checking account separate from all other funds of the Association. Under no circumstances shall Association dues, per capita and assessments be commingled with PANJ PAC funds or used to fund the PANJ PAC.

1. Funds from the PANJ PAC shall be used as contributions to candidates seeking elective office in New Jersey as members of the General Assembly, State Senate or Governor.

2. Funds from the PANJ PAC may not be used for candidates seeking federal, county or local level elected office, unless a two thirds (2/3) vote of Association Executive Board and a four-fifths (4/5) vote of the Board of Directors is obtained.

3. Funds from the PANJ PAC may also be used at the discretion of the Board of Directors to cover all expenses incurred for lobbying activities on behalf of the Association including the salaries and expenses of members of the Legislative Committee and professional lobbying services.

H. All legal and accounting services required by PANJ PAC shall be treated as an expenditure of the Association.

I. With approval of the Executive Board, the Board of Directors of PANJ PAC shall have the authority to promulgate rules, guidelines, or other regulations necessary for the continued operation of PANJ PAC.

**ON THE NEED FOR THE PROBATION ASSOCIATION OF NEW JERSEY TO FORM A  
POLITICAL ACTION COMMITTEE AND TO ENDORSE POLITICAL CANDIDATES**

*By Daniel M Bergin, P.O.*

*PANJ Regional Representative from Passaic County*

Since the unification act placing the judiciary under state control, the old county system, like a competing collection of ancient baronies, has been eliminated. As the judiciary has been united, so has the Probation Association of New Jersey.

The relationship of Trenton to PANJ has changed as dramatically in New Jersey as the coalition of our local unions has to the state association. No longer operating like weak revolutionary-era states under the Articles of Confederation, the locals are now part of a greater coalition. Our union, united statewide, must assume an even stronger role.

To do so, we must grow beyond internal competition to act decisively, boldly and without division in the promotion of our own interests. That includes elimination of the fear of retribution in the pursuit of professional achievement.

Our interests are numerous and require great attention and progressive leadership. The strong hand that characterized the relationship of the judiciary to labor is now gone. Ample precedent has been set allowing us to speak out in matters of mutual concern.

That is why we must go beyond the inaction borne of parochialism to look toward the larger issues affecting our careers. To do so requires important decisions and a show of solidarity by endorsing and supporting candidates for public office.

PANJ has grown sufficiently in number and authority to take on larger tasks in the political realm. Other unions do it regularly. We can influence public policy in a way that benefits our profession. To achieve these goals, we must take an activist stand, making our voice known statewide.

For those assigned to supervision, the Administrative Office of the Courts has expanded our role. New directives clearly putting us into the role of law enforcement and into potential harm require proper training to do our jobs effectively.

For those enforcing family court orders and working for children throughout this state, the plan to transfer us to another branch of government endangers our job security. We used our influence to forestall such a move. And for those officers assigned to criminal case management who have special concerns about workload size, we must rededicate our efforts to protect those interests as well.

The decision is easy. We must become a part of the political system and expend resources to support those in office and those running for office who support our interests. Such decisions transcend political partisanship and are not tied to any party lines. Candidates who support us should be given our support. Conversely, we should not endorse those opposed to our career advancement.

To the critics who may oppose this argument by saying that political activity is not the purview of the association, I pose these questions: If not now, when? If not us, who? While the two-party system dominates and coalitions with lesser adherents exist, they pale when compared to our interests as members of PANJ. That is why we must put partisanship aside and remain united in our common goals.

The Executive Board is currently recommending the creation of a political action committee known as PANJ PAC to be overseen by a board of directors consisting of our own membership.

The board of directors of PANJ PAC would consist of members from each designated region of the state. No dues would be used to support any candidate for office; only that money raised independently and so designated would be expended on behalf of our political interests. All contributions would be raised voluntarily.

Part of our responsibility includes the endorsement of candidates who may not be of the party of our individual affiliation. But this should not derail our political efforts. Our competing individual concerns must take less precedence as the greater career cause becomes apparent. We can endorse those whose interests are our own just as we would expect members of another party to endorse mutually beneficial interests. As such, our friends become greater friends and the foes of our adversaries are compelled toward our cause. It is the nature of politics, no matter how calculated it may seem.

PANJ must be willing to use its influence like the Policeman's Benevolent Association and other unions do in promoting their own agendas. While individual members may not support endorsements based upon party alone, such decisions will be made upon interests of common concern without regard for partisanship. Out of many vicinages, we must secure a strong future for our membership because identity should not be tied to territory. That is why I ask all of us to put aside the issues that divide us and concentrate on those that unite us.

There are members of both houses of the state legislature who support our cause. To them we must return support, whether it is through contributions or endorsements. We cannot achieve our legislative goals without them. Assuredly, they will not pay attention to our futures if we don't pay attention to theirs.

I ask all of my fellow members to consider this step toward political awareness without rancor or undue emotion. Our better judgment gives us the wisdom to know that we can no longer exist as an island without ties to the rest of the state.

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