



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

ERIC H. JASO
Chairman

STEPHEN M. HOLDEN
Commissioner

MARGUERITE T. SIMON
Commissioner

Respond to:
P.O. Box 185
Trenton, New Jersey 08625-0185

(609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532)

Website: <https://www.elec.nj.gov>

JEFFREY M. BRINDLE
Executive Director

JOSEPH W. DONOHUE
Deputy Director

DEMERY J. ROBERTS
Legal Director

STEPHANIE A. OLIVO
Compliance Director

EDWIN R. MATTHEWS
Legal Counsel

PUBLIC SESSION MINUTES

August 25, 2021

Chairman Eric Jaso, Commissioner Stephen Holden, Commissioner Marguerite Simon, Legal Counsel Edwin Matthews, Executive Director Jeffrey Brindle, Deputy Director Joseph Donohue, Legal Director Demery Roberts, Deputy Legal Director Amanda Haines, Compliance Director Stephanie Olivo, Director of Review and Investigation Shreve Marshall, IT Director Anthony Giancarli, IT Specialist Ken Colandrea, and IT Specialist Elias Amaya participated via GoToWebinar.

A court reporter was available to record the proceedings.

The Public Session Minutes will be available online on the Commission's website at: <http://www.elec.state.nj.us>.

The meeting convened at 11:03 a.m. in Trenton.

1. Open Public Meetings Statement

Chairman Jaso called the meeting to order, and Executive Director Brindle announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., notice of this special meeting of the Election Law Enforcement Commission could not be announced and distributed with adequate notice for the following reasons:

The Commission believes that it is in the public interest to act expeditiously upon a matter of importance and concern to the public interest regarding the 2021 gubernatorial debates' schedule. The Commission could not have reasonably foreseen the need for this meeting at a time when adequate notice could have been provided. The meeting was announced for August 25, 2021 at 11:00 A.M., via Telephone/GoToWebinar, and was distributed at approximately 10:03 A.M. on August 24, 2021, to the entire State House press corps and was filed with the Secretary of State's Office. It was also posted on the Commission's website. The agenda of the meeting will be limited to discussion of the matter of importance. The Commission believes that it is in the public interest to act expeditiously upon this matter.

In light of the fact that notice for this special meeting was not given 48-hours prior to the meeting, the Commission may suggest that there be a motion and vote to enact a resolution authorizing the holding of this special meeting to establish that a delay for the purpose of providing adequate notice would result in substantial harm to the public interest.

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission resolved to hold the special meeting.

2. 2021 General Election Gubernatorial Debates

Chairman Jaso announced that on the table is a question about the timing and schedule of the general election gubernatorial debates for this year. Currently those dates are set for September 28th, October 5th, being the lieutenant governor debate, and the last gubernatorial debate October 12th. The gubernatorial debates are hosted by New Jersey Performing Arts Center and their group and Public Media New Jersey, Inc. and their group. The Murphy campaign is requesting to move up the lieutenant governor's debate and the second gubernatorial debate to September 30th and October 5th, respectively. He said that there is also a question about television coverage for the lieutenant governor's debate. Chairman Jaso stated that the Murphy campaign by a letter dated August 23rd, requested to move up the lieutenant governor and the second gubernatorial debate to within a week of the first gubernatorial debate. The Murphy campaign proposed Tuesday, September 28, for the first gubernatorial debate; Thursday, September 30th for the lieutenant governor's debate, and the second gubernatorial debate on Tuesday, October 5th. The request is for the purpose of having more people view the debates prior to early voting and vote by mail.

3. Public Comments

- David Wildstein, NJ Globe

4. Resolution Authorizing an Executive Session

Whereas, there exists a need to hold an Executive Session for the purpose of discussing the following matter/matters, which fall within the exceptions to the Open Public Meetings Act, N.J.S.A. 10:4-12 et seq. to wit.

Matter/Matters (OPMA Exception)

- Regulatory question that may pertain to this request

Whereas, it is unknown at this time when such discussion to take place in Executive Session may be disclosed to the public.

Now Therefore Be It Resolved by the Election Law Enforcement Commission as follows:

1. This Executive Session Meeting of the Election Law Enforcement Commission shall be closed to the public for discussion of the aforesaid referenced matters.
2. The matters discussed during this Executive Session Meeting shall be disclosed to the public at such time when reason for discussing and acting on same in Executive Session shall no longer exist.

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission resolved to enter Executive Session to discuss a request from the Murphy campaign and to discuss a question about television coverage for the lieutenant governor's debate.

Return to Public Session

5. 2021 General Election Gubernatorial Debates

The Commission, by a vote of 3-0, rejected and denied the Murphy campaign's request and concurred to keep the existing sponsorship of the debates and keep the existing schedule of the debates, the first gubernatorial debate being September 28th, the lieutenant governor's debate being October 5th, and the second gubernatorial debate being October 12th. The Commission pointed out there is nothing preventing the candidates from holding earlier debates not overseen by ELEC. Commission members agreed to leave as it is for the coverage of the lieutenant governor's debate.

6. Public Comments

No public comments

7. Adjournment

On a motion by Commissioner Holden, seconded by Commissioner Simon, and passed by a vote of 3-0, the Commission resolved to adjourn at 11:50 am.

Respectfully submitted as true
and correct,

Jeffrey M. Brindle
Executive Director

JMB/elz