



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

ERIC H. JASO
Chairman

STEPHEN M. HOLDEN
Commissioner

MARGUERITE T. SIMON
Commissioner

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JEFFREY M. BRINDLE
Executive Director

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Legal Director

STEPHANIE A. OLIVO
Compliance Director

EDWIN R. MATTHEWS
Legal Counsel

PUBLIC SESSION MINUTES

August 27, 2019

Executive Director Jeffrey Brindle, Legal Director Demery Roberts, Compliance Director Stephanie Olivo, and Director of Review and Investigation Shreve Marshall were present. Chairman Eric Jaso, Commissioner Stephen Holden, Commissioner Marguerite Simon, and Legal Counsel Edwin Matthews participated by telephone.

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 11:00 a.m. in Trenton.

1. Open Public Meetings Statement

Chairman Jaso called the meeting to order. Executive Director Brindle announced that pursuant to the "Open Public Meetings Act," N.J.S.A. 10:4-6 et seq., adequate notice of this telephonic meeting of the Election Law Enforcement Commission was announced for August 27, 2019, at 11:00 a.m., at the Commission's offices, and was distributed at approximately 10:00 a.m. on August 22, 2019 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.

On a motion by Commissioner Holden, seconded by Commissioner Simon and approved by a vote of 3-0, the Commission voted to hold the telephonic meeting.

2. Public Comments

No public comments.

3. 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)

- **Discussion of Advisory Opinion Request No. 01-2019** – The Commission received a request for an Advisory Opinion from Rebecca Moll Freed, Esq., on behalf of New Jersey Community Initiatives (“NJCI”), an independent expenditure only committee. The request asks whether an independent expenditure committee can retain a professional campaign fundraiser that is registered with ELEC, who is also a candidate, and remain in compliance with N.J.S.A. 19:44A-9(h).

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 Simon, seconded by Commissioner Holden, and passed by a vote of 3-0, the Commission resolved to enter Executive Session to discuss Advisory Opinion Request No. 01-2019.

Return to Public Session

4. Advisory Opinion Request No. 01-2019

On a motion by Commissioner Simon, seconded by Commissioner Holden, and passed by vote of 3-0, the Commission voted to adopt Advisory Opinion No. 01-2019, as amended.

5. Public Comments

No public comments.

6. 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 11:30 am.

Respectfully submitted as true
and correct,

Jeffrey M. Brindle
Executive Director