

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, No. 615

STATE OF NEW JERSEY

ADOPTED MARCH 14, 1996

Sponsored by Senator SCHLUTER

1 AN ACT concerning the debates in which publicly financed candidates
2 for the office of Governor participate and amending P.L.1989, c.4.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 10 of P.L.1989, c.4 (C.19:44A-46) is amended to read
8 as follows:

9 10. a. The series of gubernatorial primary debates under
10 subsection a. of section 9 of P.L.1989, c.4 (C.19:44A-45) shall consist
11 of **[two]** three debates. Each of the debates shall be of at least one
12 hour's duration. The first debate in the series shall occur not earlier
13 than the date on which the ballot for the primary election in which
14 candidates are to be nominated for election to the office of Governor
15 is finally certified by the Secretary of State to the clerks of the several
16 counties, and the **[second]** final debate in the series shall occur not
17 later than the 11th day prior to the primary election to select
18 candidates for that office unless an emergency, as determined by the
19 vote of a majority of the participating candidates, requires the
20 postponement thereof, but the **[second]** final gubernatorial primary
21 debate shall in no event be held later than the second day preceding
22 that primary election.

23 b. The series of gubernatorial election debates under subsection b.
24 of section 9 of P.L.1989, c.4 (C.19:44A-45) shall consist of **[two]**
25 three debates. Each of the gubernatorial election debates shall be of
26 at least one hour's duration. The first debate in the series shall occur
27 not earlier than the third Tuesday following the first Monday in
28 September of the year in which a general election is to be held for the
29 office of Governor, and the **[second]** final debate in the series shall
30 occur not later than the 11th day prior to the general election for that
31 office unless an emergency, as determined by the vote of a majority of
32 the participating candidates, requires the postponement thereof, but

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 the final gubernatorial election debate shall in no event be held later
2 than the second day preceding that general election.

3 c. Organizations which are not affiliated with any political party
4 or with any holder of or candidate for public office[,] and which have
5 not endorsed any candidate in the pending primary or general election
6 for the office of Governor[, and which have previously sponsored one
7 or more televised debates among candidates for Statewide office in the
8 State since 1976,]shall be eligible to sponsor one or more interactive
9 gubernatorial primary debates or interactive gubernatorial election
10 debates under subsection a. or subsection b., respectively, of this
11 section. In addition, any association of two or more separately owned
12 news publications [~~or~~], broadcasting outlets or cable television
13 companies, including newspapers, radio stations or networks, and
14 television stations or networks, having between or among them a
15 substantial readership or audience in this State, and any association of
16 print or broadcast news or press service correspondents having among
17 them a substantial readership or audience in this State, shall be eligible
18 to sponsor any such gubernatorial primary or gubernatorial election
19 debate[, without regard to whether that association or any of its
20 members shall previously have sponsored any debate among candidates
21 for Statewide office].

22 The Election Law Enforcement Commission shall accept
23 applications from eligible organizations and eligible associations of
24 news publications [~~and~~], broadcasting outlets and cable television
25 companies or news or press service correspondents to sponsor one or
26 more of those interactive gubernatorial debates. Applications to
27 sponsor debates under subsection a. shall be submitted to the
28 commission no later than March 15 of any year in which a primary
29 election is to be held to nominate candidates for the office of
30 Governor, and applications to sponsor debates under subsection b.
31 shall be submitted to the commission no later than July 1 of any year
32 in which a general election is to be held to fill the office of Governor.

33 Where the number of eligible applicants to sponsor gubernatorial
34 primary debates or gubernatorial election debates exceeds the number
35 prescribed under subsection a. and subsection b. of this section,
36 respectively, the Election Law Enforcement Commission shall select
37 the sponsors from among the applicants within 30 days of the last day
38 for submitting those applications, as provided by this subsection. The
39 commission shall select the sponsor of each debate by majority vote of
40 the entire authorized membership of the commission, except that in the
41 event that there are two vacancies on the commission at the time of
42 such a vote, the selection shall occur if both remaining members vote
43 affirmatively for a particular sponsor and if both members are of
44 different political parties. To the maximum extent practicable and
45 feasible, the commission shall select a different sponsor for each of the

1 interactive gubernatorial debates, but shall not be precluded from
2 selecting the same sponsor for more than one debate. In its selection
3 of a sponsor, the commission shall consider whether there is a history
4 of conflict of interest or the potential for such a conflict with respect
5 to any of the candidates for nomination or election to the office of
6 Governor.

7 The sponsors selected by the commission shall be responsible for
8 selecting the date, time and location of the debates, subject to the
9 limitations set forth in this section. The rules for conducting each
10 debate shall be solely the responsibility of the sponsors so selected, but
11 shall not be made final without consultation with both the chairman of
12 the New Jersey Republican State Committee and the chairman of the
13 New Jersey Democratic State Committee in the case of gubernatorial
14 primary debates, and with a representative designated by each of the
15 participating candidates in the case of gubernatorial election debates.

16 As used in this subsection, "conflict of interest" shall include an
17 actual conflict of interest as well as the appearance of a conflict of
18 interest currently, in the past, or prospectively with respect to any
19 candidate for nomination for or for election to the office of Governor
20 or the political party of such a candidate.

21 (cf: P.L.1991, c.317, s.1)

22

23 2. This act shall take effect immediately.

24

25

26

27

28 _____
29 Increases number of gubernatorial debates in which publicly financed
30 candidates for office of Governor must participate from two to three;
eliminates certain restriction on debate sponsorship eligibility.