

May 23, 1974

Mr. A. R. Trautmann
Executive Director
Associated General Contractors
of New Jersey
P. O. Box 327
Pennington, New Jersey 08534

RE: Opinion No. (O-30-74)

Dear Mr. Trautmann:

This will acknowledge receipt of your letter of May 6, 1974, which was responsive to our earlier correspondence in this matter.

We have referred the matter to our Counsel, Edward J. Farrell, Esq., who will promulgate an advisory opinion as provided for by Chapter 83 of the Laws of 1973.

Thank you for your detailed response.

Yours very truly,

David F. Norcross
Executive Director

DFN:hl

cc: Ed Farrell, Esq.

0-30-74

March 29, 1974

Mr. A. R. Trautmann
Executive Director
Associated General Contractors
of New Jersey
P. O. Box 327
Pennington Road
Route 31
Pennington, New Jersey 08534

Dear Mr. Trautmann:

Please refer to our letter of March 20, 1974 responding to your inquiry of March 11, 1974. A review of your March 11 letter shows that you describe your efforts in the area of "political activity" as "minimal". In view of this assertion, it is possible that the reporting requirements of Chapter 83 of the Laws of 1973 might not be applicable to your particular organization. However, in order to make that determination, the Commission feels that it is necessary to elicit more information as to the nature and volume of your efforts in the "area of political activity".

Therefore, would you please be so kind as to supply with us with a brief description of (a) the activities in which you engage, (b) an estimate, if possible, of your expenditures in that area, (c) the amount of money expended by your organization for all of its activities, and (d) such other information as you feel might be helpful, and that you would like to have considered by the Commission in order to make this determination.

In the meantime, you should be advised that the Superior Court, Chancery Division, continued the restraint against the application of the Annual Report filing deadline. You are also otherwise protected by your request for an advisory opinion from the Commission and would, regardless of the determination of the Superior Court, be entitled to an extension of the filing deadline until 15 days after the promulgation of the advisory opinion by the Commission.

Yours very truly,

David F. Norcross
Executive Director

March 20, 1974

Mr. A. R. Trautmann
Executive Director
Associated General Contractors of New Jersey
P. O. Box 327
Pennington Road
Route 31
Pennington, New Jersey 08534

Dear Mr. Trautmann:

This will acknowledge receipt of your letter of March 11, 1974 requesting an advisory opinion. Under the facts stated in your letter, it appears from paragraph three that you do engage in some activity, the purpose of which is to influence the content, introduction, passage, or defeat of legislation in the State of New Jersey. This being the case, you would fall within the definition of a "political information organization", and therefore within the purview of Chapter 83 of the Laws of 1973.

The absence of any involvement from campaign efforts does not, in any way, exempt an organization from the requirements of the Campaign Contributions and Expenditures Reporting Act.

I am enclosing an R-2 form and an instruction sheet for the purpose of assisting you in the preparation of the form.

Section 7 of the instructions deals with the statutory requirements for the establishment of separate funds, and embodies the Commission's procedures with respect to expenditures made in the ordinary course of the organization's activities.

You may consider this letter as an extension of the time within which to file, until 15 days after the date of this letter.

As you are probably aware, the Superior Court, Chancery Division, has issued a Temporary Restraining Order which prevents the Commission from enforcing the filing deadline with respect to the Annual Report. Your organization would, of course, fall within the ambit of that restraining order.

Yours very truly,

David E. Norcross