

STATE OF NEW JERSEY
ELECTION LAW ENFORCEMENT
COMMISSION
NATIONAL STATE BANK BLDG.
SUITE 1114
TRENTON, N. J. 08605
(609) 292-8700

FRANK P. REICHE
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LEWIS B. THURSTON, III
EXECUTIVE DIRECTOR
EDWARD J. FARRELL
COUNSEL

April 30, 1976

Mr. Arthur Buehrer
R.D. #1, Box 35
Branchville, New Jersey 07826

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973, as
Amended and Supplemented ("the Act")
Your Letter Dated January 19, 1976
Opinion # (0-01-76)

Dear Mr. Buehrer:

Your letter dated January 19, 1976 to the New Jersey
Election Law Enforcement Commission ("the Commission"),
including a request for advisory opinion, has been forwarded
to me for reply.

The Commission does not have authority to advise generally
with respect to the election laws, since its authority is
limited to the area of its responsibility, which is the New
Jersey Campaign Contributions and Expenditures Disclosure
Act (N.J.S.A. 19:44A-1 and following). This Act forms only
a part of the election law of New Jersey, which is contained
in Title 19 of the New Jersey Statutes. The remainder of
the election law is under the jurisdiction of the Attorney
General of New Jersey.

The Commission is, however, under a duty to forward to
the appropriate authority evidence of possible violations of
law. If, for example, the reports filed by a candidate
included a banking institution as one of the contributors
to the campaign, the Commission would notify the Attorney
General or the appropriate county prosecutor of those facts.
Where the facts are not clear, the action taken by the
Commission would depend on a number of circumstance, and upon
the guidelines, if any, provided by the Attorney General.

A possible analogy appears in Section 276 of the Internal
Revenue Code of 1954 as Amended, which considers the question
of, among other things, amounts paid or incurred for advertis-
ing in a convention program of a political party, or in any

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other publication if any part of the proceeds of such publication directly or indirectly inures (or is intended to inure) to or for the use of a political party or a political candidate. The Commission does not have authority to express an opinion whether a rule similar to this would be applied in the case set forth in your letter.

With respect to these and other questions relating to the election laws of New Jersey which are outside the jurisdiction of the Commission, we would suggest that you contact Gregory Nagy, Esq., Deputy Attorney General, State House Annex, Trenton, New Jersey (telephone: 609-292-8741), whose area of responsibility includes the election laws of the State of New Jersey. We have forwarded a copy of your letter and a copy of this letter to the office of the Attorney General.

Yours very truly,



Edward J. Farrell
Legal Counsel

EJF:ja

cc: Gregory Nagy, Esq.

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Re: Opinion #(0-01-76)

Dear Mr. Buehrer:

We are enclosing Commission Opinion 0-01-76, in supplement of the earlier correspondence in which we forwarded to Mr. Laddey, your Chairman, a copy of Commission Opinion 0-15-75.

Yours very truly,


Edward J. Farrell
Legal Counsel

EJF:ja