



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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February 22, 1982

Richard K. Weinroth, Esq.  
Sterns, Herbert & Weinroth  
186 West State Street  
Trenton, New Jersey 08607

Re: ADVISORY OPINION No. 05-1982

Dear Mr. Weinroth:

Your letter to the Election Law Enforcement Commission requesting an advisory opinion has been considered by the Commission and I have been directed to issue this response. You have asked whether Chapter 150 of the Laws of 1981 requires that legislative agents report lobbying activity in the calendar year in which the activity is undertaken, or in the calendar year in which it is billed and paid. For the reasons stated herein, you are advised that legislative agents should report lobbying activity in the calendar year in which it is undertaken.

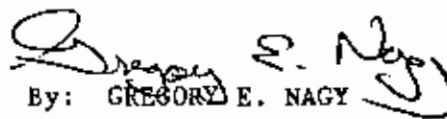
You have informed the Commission that a lobbyist retained your firm to undertake lobbying activity during calendar year 1980. While all of the activity was completed during that year, a portion was not billed and paid until 1981. The Commission has concluded that the 1980 legislative activity undertaken on behalf of this client is not reportable in the 1981 Annual Report.

You have further informed the Commission that on behalf of another client lobbying activity was undertaken during calendar year 1981. That activity exceeded the \$2,500 threshold, but it was not billed until 1982 and as of the date of this request payment had not been received. The Commission has concluded that the 1981 legislative activity must be included in the 1981 Annual Report.

Disclosure of lobbying activities is intended to reflect events during the reporting year and is not dependant upon either billing practices or the date of payment of fees. Chapter 150 requires that a lobbyist or legislative agent make an annual report "... of those moneys, loans, paid personal services or other things of value contributed to it and those expenditures made, incurred or authorized by it for the purpose of ... (lobbying)" L. 1981, c.150, sec. 2. The obligation to compensate your firm for lobbying activity undertaken on behalf of the client was incurred by that client in calendar year 1981, and therefore must be reported in that year.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

  
By: GREGORY E. NAGY  
Staff Counsel