

0-03-77

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March 4, 1977

Mr. Mark A. Stein  
345 Prospect Avenue  
Hackensack, New Jersey 07601

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 12, 1977  
Opinion #(0-03-77)

Dear Mr. Stein:

Your letter dated January 12, 1977 to the New Jersey  
Election Law Enforcement Commission ("the Commission"),  
including a request for advisory opinion, was forwarded to  
me for reply. We regret that the press of other Commission  
business has caused a delay in our response to your letter.  
Under the Act, you are protected by virtue of your request  
until receipt of this opinion.

The act is applicable to municipal elections of the  
kind described in your letter. Each candidate must file  
with the Commission the name of a treasurer and depository.  
The committee must also file the name of a treasurer and  
depository, which could be the same as those of the  
candidate.

If any of the candidates supported by the committee is  
required to file pre-election and post-election reports under  
the Act, the committee must also file pre-election and post-  
election reports, including its allocation among the candidates  
of contributions and expenditures. Candidates must file separate  
pre-election and post-election reports reflecting allocations  
by the committee. The candidate's reports may incorporate  
by reference the detailed information contained in the  
committee reports.

A contribution to the committee in excess of \$100.00  
would be deemed to be a single contribution, even though the  
amount properly allocated to each of the candidates might be  
a sum not in excess of \$100.00. The name and address of the  
contributor and the amount of the contribution would have to  
be reported by the committee.

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The Commission is created by Section 5 of the Act and its power to promulgate advisory opinions is limited to the Act and, accordingly, the Commission may not express any opinion as to the references in your letter as to whether candidates in a non-partisan municipal election may run a joint candidacy or publicly declare their common alignment.

Yours very truly,



Edward J. Farrell  
Legal Counsel

EJF:jj