



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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November 19, 1986

NOV 21 2 36 PM '86

Mr. John Robertson, President
Committee for Truth in Government
P.O. Box 103
Grenloch, New Jersey 08032

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973 as Amended and
Supplemented ("the Act")
Your letter dated October 30, 1986
Advisory Opinion 10-1986

Dear Mr. Robertson:

Your letter dated October 30, 1986, including a request for
advisory opinion, has been forwarded to me for reply.

The Commission considers the character of the materials
involved, the proximity of the date of the publication of the
material to the date of the election, as well as other factors, in
determining whether such material is political in nature and
therefore subject to the reporting requirements of the Act. Based
upon these criteria used by the Commission, there is little doubt
that the substantial purpose and effect of the publication of the
materials of the kind which were attached to your letter is to affect
the view of potential voters, and is clearly political material.
Literature in opposition to a candidate is precisely the same under
the statute as literature in support of a candidate. In the opinion
of the Commission, the material clearly subjects your committee to
the reporting requirements of the Act.

A political committee acting independently in respect of the
candidacy of a candidate (in support or in opposition) will have an
obligation of filing the pre-election and post-election reports
called for under the Act if the amount of the expenditure for
political activity, computed on a basis of reasonable commercial
value, exceeds \$1,000.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

By Edward J. Farrell
Edward J. Farrell
Counsel

EJF:no

cc: Mr. Herrmann