

STATE OF NEW JERSEY
ELECTION LAW ENFORCEMENT
COMMISSION
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January 21, 1976

Honorable Walter J. Kozloski
Assemblyman, District 11
30 West Main Street
Freehold, New Jersey 07728

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973, As
Amended and Supplemented ("the Act")
Your Letter Dated August 28, 1975
Opinion #(0-20-75)

Dear Assemblyman Kozloski:

Your letter dated August 28, 1975 to the New Jersey
Election Law Enforcement Commission ("the Commission"),
including a request for advisory opinion, has been forwarded
to me for reply.

The activities described in your letter are not of a kind
which are clearly campaign oriented activities. Rather, they
are activities of a kind which a holder of public office might
reasonably be expected to participate in, just as communications
with constituents and other similar activities by a holder of
public office. The question therefore becomes one of whether
the activities become subject to reporting and other provisions
of the Act by reason of the timing of the activities or other
special circumstances.

I have assumed that you were, as of the time of your
inquiry, engaged in a campaign for re-election, and have
further assumed that the persons described in the directory
and that the persons likely to be included in the distribution
of the directory would to some substantial extent include
persons who were eligible to vote in the election in which
you were a candidate. In these circumstances, it is the
opinion of the Commission that the inclusion of the language
"Compliments of Assemblyman Kozloski" would require you
to report some or all of the payment as a campaign expenditure
and to include some or all of the payment in computing
the expenditure for purposes of spending limits under Section
7 of the Act.

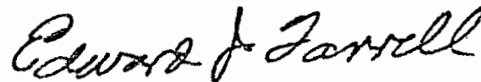
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Here, however, it would appear that your campaign effort would have the benefit of the recipients knowing that the entire cost of the printing of the directory was paid by you as a result of the statement "Compliments of Assemblyman Kozloski" (whether or not the recipient would know what that exact dollar amount might be). In these circumstances, we are of the opinion that the entire cost of that printing would be reportable and chargeable to you as a campaign expenditure.

Since no question is raised with respect to the circumstances of preparation or distribution of the directory, we express no opinion respecting the applicability of the reporting or other provisions of the Act to those activities.

Under the provisions of Section 6 of the Act you are protected with respect to actions taken by you from a period ten days after the date of your letter until the date of the receipt of this opinion.

Yours very truly,



Edward J. Farrell
Legal Counsel

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