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

DAVID F. NORCROSS
EXECUTIVE DIRECTOR
EDWARD J. FARRELL
COUNSEL

October 9, 1975

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Richard K. Weinroth, Esq.
Messrs. Sterns & Greenberg
132 West State Street
Trenton, New Jersey 08608

ELECTION LAW ENFORCEMENT
COMMISSION

Re: The New Jersey Campaign Contributions and
Expenditures Reporting Act, Chapter 83,
Laws of 1973, as Amended and Supplemented ("the Act")
Your Letter Dated September 22, 1975
(Opinion # (O-23-75))

Dear Mr. Weinroth:

We have reviewed our advisory opinion to you (O-23-75) dated September 23, 1975 in light of the additional information recently received by our office. As a consequence of this review, we believe that some clarification is in order and therefore issue the following advisory opinion which supersedes the prior one hereinabove mentioned.

The New Jersey Election Law Enforcement Commission is not authorized to render opinions with respect to the potential applicability of N.J.S.A. 19:34-32 or 19:34-45 because the authority of the Commission is limited to the matters contained in the Act (N.J.S.A. 19:44A-1 and following) which constitutes only a part of Title 19 dealing with elections in New Jersey. Jurisdiction as to the remainder of Title 19 relating to elections is generally vested in the the Attorney General of New Jersey.

Where the Commission notes facts which may constitute a violation of sections of Title 19 outside of its jurisdiction, the Commission forwards the information respecting such possible violations to the appropriate authorities.

The Commission would not take any such action on the basis of the facts set forth in your letter because, upon reflection, we have serious doubt whether the prohibitions contained in N.J.S.A. 19:34-32 and 19:34-45 would apply to your proposed activity, because the language of those

sections indicates that the prohibitions are applicable only where such corporations are contemplating contributions to candidates or political parties, whereas your activities appear limited to the support of public referendum or question. Our tentative reaction notwithstanding, we would suggest that you refer this matter directly to the Attorney General of New Jersey who has jurisdiction as to these matters. Please advise if there is any additional information which we can provide.

Very truly yours,

Edward J. Farrell

EJF:ja