

NEW JERSEY ELECTION LAW
ENFORCEMENT COMMISSION
National State Bank Building
28 West State Street
Suite 1114
Trenton, New Jersey 08608

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February 3, 1976

ELECTION LAW ENFORCEMENT
COMMISSION

Howard Butensky, Esq.
Post Office Box 536
149 Bay Avenue
Manahawkin, New Jersey 08050

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973 as Amended
and Supplemented ("the Act")
Your Letter Dated November 5, 1975
Opinion # (0-31-75)

Dear Mr. Butensky:

Your letter dated November 5, 1975 to the New Jersey Election Law Enforcement Commission ("the Commission"), including a request for advisory opinion, has been forwarded to me for reply.

It is not clear from your letter whether the activities of the Parent Teacher Association would be such as to constitute that Association a political committee with respect to the public question and, as such, subject to the pre-election and post-election reporting requirements and the other requirements of the Act. The collection and publication of information with respect to the proposal for new school building would not be considered by the Commission as action promoting the passage or defeat of the public question, unless the surrounding circumstances, including the tone of the publication, the presence of editorial comment, a stated or indicated position in favor of passage or defeat of the public question, or other persuasive circumstances show that the publication of information is, in fact, an expenditure to promote the passage or defeat of the public question. In the latter event, the Association would of course be a political committee with respect to the public question.

Yours very truly,



Edward J. Farrell
Legal Counsel

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