

B-16-76

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

FRANK P. REICHE
CHAIRMAN
SIDNEY GOLDMANN
VICE CHAIRMAN
JOSEPHINE S. MARGETTS
ARCHIBALD S. ALEXANDER

LEWIS B. THURSTON, III
EXECUTIVE DIRECTOR
EDWARD J. FARRELL
COUNSEL

September 24, 1976

Robert R. Olson, Treasurer
Montclair '76 United Comm.
P.O. Box 726
Montclair, New Jersey 07042

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973, as
Amended and Supplemented ("the Act")
Your Letter Dated April 1, 1976
Opinion #(0-16-76)

Dear Mr. Olson:

Your letter dated April 1, 1976 to the New Jersey
Election Law Enforcement Commission ("the Commission"),
including a request for advisory opinion, has been forwarded
to me for reply.

The Commission does not have authority to advise generally
with respect to the election laws, since its authority is
limited to the area of its responsibility, which is the New
Jersey Campaign Contributions and Expenditures Disclosure
Act (N.J.S.A. 19:44A-1 and following) ("The Act"). The
Act forms only a part of the election law of New Jersey,
which is contained in Title 19 of the New Jersey Statutes.
The remainder of the election law is under the jurisdiction
of the Attorney General of New Jersey.

Section 4 of The Act makes the provisions of The Act
applicable, among other things, "in any primary, general,
special, school or municipal election for any public office
of the state***". There is no exception provided in The Act
for election for municipalities governed by commission
government as described in Chapter 70 of Title 40 of the
statutes of New Jersey. Accordingly, it is the opinion of
the Commission that every candidate for an election of the
kind described in your letter is obliged to comply with the
reporting and other requirements of the Act. The Commission
expresses no opinion whether compliance with the provisions
of N.J.S.A. 40:73-1 as described in your letter is precluded

Robert R. Olson

-2-

September 24, 1976

by Section 24 of The Act or by other legal principle, and we suggest that you contact the office of the Attorney General for an opinion in this regard.

Yours very truly,


Edward J. Farrell
Legal Counsel

EJF:ja

cc: Honorable William F. Hyland