

0-17-76

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September 24, 1976

Helen R. McDonald
234 Sandalwood Avenue
Trenton, New Jersey 08619

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973, as
Amended and Supplemented ("the Act")
Your Letter Dated May 17, 1976
Opinion #(0-17-76)

Dear Ms. McDonald:

Your letter dated May 17, 1976 to the New Jersey
Election Law Enforcement Commission ("the Commission"),
including a request for advisory opinion, has been forwarded
to me for reply.

Communications by an elected official to his or her
constituents do not raise questions of the applicability of
the reporting or other requirements of the Act, unless those
communications in fact represent expenditures in aid of or
support of the candidacy of a candidate. Normally, communications
by an elected official are not such expenditures in the
absence of special circumstances, such as timing in relation
to an election campaign, or the tone or political content of
the material, which might call for the conclusion that the
communications are in fact expenditures on behalf of a
candidate.

Your letter does not suggest that you are at this time
a candidate for election. The Commission is of the opinion
that the publication by you of "Report To The People",
Spring-1976, Volume 1, Number 1 on May 15, 1976 does not
constitute an expenditure in aid of a candidate so as to
require compliance with reporting or other provisions of the
Act.

Yours very truly,

Edward J. Farrell
Edward J. Farrell
Legal Counsel

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