

FRANK P. REICHE
CHAIRMAN
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JOSEPHINE S. MARGETTS
ARCHIBALD S. ALEXANDER

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

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

October 19, 1976

Honorable Edward J. Patten
2332 Rayburn House Office Building
Washington, D.C. 20515

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973, as
Amended and Supplemented ("the Act")
Your Letter Dated July 21, 1976
Opinion #(0-24-76)

Dear Congressman Patten:

Your letter dated July 21, 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 Act does not purport to apply to elections for
federal office, and there is no requirement in the Act that
candidates for federal office file any reports with the
Commission. On the facts set forth in your letter, however,
the committee which you describe would become a committee on
behalf of a candidate for Freeholder, if the activities of
that committee, apart from its activities in behalf of your
candidacy, indicated that the committee was formed with the
purpose or result of aiding in any substantial matter in the
candidacy of the candidate for Freeholder.

Where the principal purpose of the expenditure of funds
for billboards or other advertisements was an effort in support
of your federal candidacy, then the inclusion of information
with respect to a Freeholder candidate, such as the phrase
"Vote For Freeholder candidate, John Doe", would be regarded
as a contribution, reportable as such by the campaign com-
mittee on behalf of the candidate for Freeholder, but would
not, without more, constitute your committee as an additional
committee on behalf of that Freeholder candidate.

However, where for example, the committee expended
funds to arrange for the preparation of a billboard, a

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significant part of which constituted an effort on behalf of the candidate for freeholder, then the committee would necessarily be a committee on behalf of that candidate, and the provisions of the Act requiring that committee to name a treasurer and depository and to report the expenditures with respect to the candidacy of the candidate for Freeholder would be applicable.

If the campaign committee on behalf of the candidate for the office of Freeholder joined in the expenditure for the advertisement, assuming the expenditure by that campaign committee was proportionate to the use of the Freeholder candidate's name, then no reporting obligation would be imposed upon your committee, and the campaign committee on behalf of the candidate for the office of Freeholder would report the expenditure as an expenditure by the campaign committee for advertisement.

Yours very truly,



Edward J. Farrell
Legal Counsel

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