



JUL 24 1985

State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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July 19, 1985

William F. Dowd, Esquire  
121 Monmouth Parkway  
West Long Beach, New Jersey 07764

Re: Advisory Opinion 10-1985

Dear Mr. Dowd:

I have been requested by the Election Law Enforcement Commission to respond to your letter of June 12, 1985, requesting an advisory opinion.

As you know, the Commission has considered your request and has received commentary from various interested parties. The Commission has determined to adhere to the response given by the Commission to question No. 4 in the opinion of the Commission 33-1981, except that the Commission has reduced the minimum allocation figure from 25% to 15%, to reflect the significance of the increase of the cost of election campaigns over the increase in the expenditure limits applicable to those campaigns.

The Commission has, however, attempted to provide guidance for the candidates and campaigns as to certain specific situations which were discussed. Those specific situations and the opinion of the Commission with respect to allocation is attached to this letter as Appendix A and is made a part of this letter.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

By Edward J. Farrell  
Edward J. Farrell  
Counsel

EJF:no  
Enclosure

APPENDIX A

TO A.O. 10-1985

The following is a list of representative situations with a notation "in" or "out". "In" means an allocated portion is subject to the expenditure limit of the gubernatorial candidate of the same political party. "Out" means it is not subject.

1. A picture of the candidate and Kean/Shapiro at public event where Kean/Shapiro appeared in the capacity of public official, taken at the time of the event and prior to the date of the primary, with caption identifying persons. (Example: dedication of a public work project, bill signing) OUT

2. Statement contained in the release copy of a speech or in a bona fide press release of a statement relating to a public event, a rally, a political dinner or the like, in the following format:

(a) "While serving on the Board of Trustees of X College with Kean/Shapiro, I was able to accomplish the following." OUT

(b) "I worked closely with the Kean administration and together we got Bill X passed." OUT

(c) "I support the efforts of the administration in the area of environmental law and I am proud to be a member of the Republican team." OUT

(d) "I am proud of the work done by Kean/Shapiro in the area of \_\_\_\_\_ and I am proud to be a member of the Rep./Dem. team." OUT

(e) "I support Kean/Shapiro and the other Rep./Dem. candidates." OUT

(f) "Vote for me and for the Rep./Dem. team." OUT

(g) "Vote for me and Kean/Shapiro" OUT

(h) "I, Assembly Candidate, support Kean/Shapiro and ask you to support him." OUT

(i) "I, Assembly Candidate, am opposed to the Kean/Shapiro position on Issue X and ask you to join me in opposing it." OUT

3. Advertisement for a rally "Come hear Assembly Candidate A and Kean/Shapiro." IN

4. Advertisement for a rally "Come hear Assembly Candidate A and other Rep./Dem. speakers." Kean/Shapiro attends and speaks. OUT

5. "Vote for me and Kean/Shapiro" in any of the following media:

newspaper IN

tv IN

radio IN

billboard IN

broadcast from truck speaker IN

handbill IN

bumper sticker IN

button (e.g., Candidate A/Kean or Candidate A/Shapiro) IN

sign in store IN

sign in front of home IN

sign on telephone pole IN

sign towed behind airplane IN

sign on public bus IN

mail (list prepared by candidate) IN

mail (list prepared by commercial vendor) IN

letter from candidate to selected persons IN

letter from candidate to general public IN