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February 25, 1987

Mr. Lawrence M. Merlis, President
East Orange General Hospital
300 Central Avenue
East Orange, New Jersey 07018-2819

Re: Advisory Opinion No. 04-1987

Dear Mr. Merlis:

Your letter dated February 12, 1987 to the Chairman of 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 persons generally with respect to the legality of their actions, since its authority is limited to the area of its responsibility, a specific part of the election law of New Jersey, the New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1), and certain additional election-related statutes. Nothing in the laws administered by the Commission prohibits or limits contributions or the amount of contributions by a person or organization, with certain exceptions which appear not to be relevant based on your letter.

The specific questions which you raise, however, with respect to activities by a hospital or by its profit or not-for-profit affiliates or subsidiaries would likely be governed by the non-profit corporation statute contained in Title 15 of the statutes of New Jersey, or similar kinds of laws. Those laws are outside the scope of the law which is administered by the Commission and accordingly the Commission is not able to provide an opinion with respect to your questions.

For the same reason, your questions with respect to the effect of contributions upon your tax status or the deductibility of such contributions are matters of Federal tax law or of State tax law and are again outside the jurisdiction of the Commission.

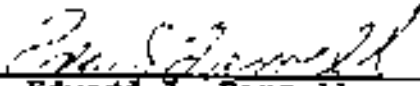
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There are provisions in the election laws (other than those administered by the Commission) such as N.J.S.A. 19:34-32 and 19:34-45 which have the effect of prohibiting contributions by certain kinds of organizations such as banks, insurance companies, casino interests and regulated industries. While we do not suggest that a hospital or any of its affiliates or subsidiaries is a regulated industry, that kind of question is one which would be outside the jurisdiction of the Commission and should perhaps be addressed to the Attorney General.

I am sorry we will not be able to provide you with a more helpful response, but I am sure you are able to understand that we are bound by the limits of our jurisdiction.

Very truly yours,

NEW JERSEY ELECTION LAW
ENFORCEMENT COMMISSION

By 
Edward J. Farrell
Counsel

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