



NEWS RELEASE

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CONTACT: JEFF BRINDLE
EXECUTIVE DIRECTOR

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Copies of all 650 advisory opinions issued by the New Jersey Election Law Enforcement Commission (ELEC) since 1973 now can be viewed on the agency's website, Executive Director Jeff Brindle announced today.

While many of the older opinions no longer apply due to changes in the law, Brindle said the agency has made them available for historical or legal research, and as part of a general effort to be as transparent as possible.

"One of our main missions is disclosure, and we take that mission very seriously," said Brindle. "Where possible, the agency is attempting to use its website to expand public access to documents maintained by the Commission."

Other examples of documents already available on the website include annual reports dating back to the Commission's creation in 1973, Commission meeting minutes beginning with April 2010, agency regulations, and compliance manuals for candidates and lobbyists.

Under the law, anyone can request an advisory opinion to determine whether or not a contemplated action or set of facts incurs a responsibility to report campaign or lobbying activity.

"Our laws are complex and they have evolved over the nearly 40 years since ELEC's creation," Brindle said. "It is impossible to anticipate every application of the law. Sometimes candidates and lobbyists need further guidance to determine whether or not their activities fall within our jurisdiction."

Until now, only the 60 most recent advisory opinions issued since 1998 were available on the website www.elec.state.nj.us/legalresources.htm. Now, an additional 590 earlier opinions are viewable.

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Located at: 28 W. State Street, 13th Floor, Trenton, New Jersey

Not surprisingly, the largest number of requests came in the Commission's formative years. The peak year was 1974, when 50 opinions were issued. By comparison, only 32 A.O.s have been issued since 2002.

The requests run the gamut from precedent-setting to the mundane.

For instance, the Commission once frowned after learning that supporters of an assembly member running for reelection held a campaign fundraiser in one room, then moved to a second room and collected \$28,000 to buy him a car.

The assembly member was told the car money also had to be reported as campaign contributions because it was raised from the same group of supporters' right before the election. The car never was purchased.

On the other hand, the Commission said it was acceptable for a departing mayor to contribute about \$2,000 in leftover campaign funds to a non-profit group so it could help underwrite a historical video about his city.

In some cases, ELEC must refer advisory opinion requests to the Attorney General's office because they involve matters outside its jurisdiction. Most common are inquiries involving activities by state-regulated industries that are not permitted to make direct contributions even though their employees may form continuing political committees, which also are known as PACs. Referrals to the Attorney General's office also are available among the A.O. listings.

Brindle credited the creation of the advisory opinion archive to the collaboration of several members of ELEC's staff. They include Administrative Assistant Elbia Zeppetelli, Executive Secretary Maureen Tilbury, Legal Secretary Renee Zach, Principal Webmaster Maryanne Garcia, and Research Associate Steven Kimmelman.

"Our staff represents one of our greatest resources. Its efforts have made ELEC one of the most responsive agencies in state government," Brindle said.

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