

NEW JERSEY ELECTION LAW
ENFORCEMENT COMMISSION
Temporary Office
c/o Frank P. Reiche, Esq.
1 Palmer Square
Princeton, New Jersey 07540

August 23, 1973

Hugo M. Pfaltz, Jr., Esq.
Messrs. Bourne and Noll
382 Springfield Avenue
Summit, New Jersey 07901

Re: The New Jersey Campaign Control and
Expenditures Reporting Act ("the Act")
Your Letter Dated June 8, 1973

Dear Mr. Pfaltz:

Your letter of June 8, 1973, to the New Jersey Election Law Enforcement Commission ("the Commission"), including a request for advisory opinion, has been forwarded to me for reply. By previous correspondence, the Commission requested an extension of time within which to reply to August 20, 1973.

1. Although the Savings Bank Association of New Jersey is not itself registered under the Legislative Activities Disclosure Act of 1971 it is the opinion of the Commission that the activities described would constitute the Savings Bank Association of New Jersey a "political information organization" within the meaning of Section 3 of the Act.
2. As a political information organization, the Association is subject to the March 1 reporting requirement contained in Paragraph 2 of Section 8 of the Act.
3. The Association is not, on the basis of the facts set forth in your letter, subject to the pre-election and post-election reporting requirements of Paragraph 16, incorporated by reference into Paragraph 1 of Section 8 of the Act.
4. The salary paid to the Executive Vice President of the Association and legal fees paid to you relating to activities as a registered legislative agent, as well as all other expenditures related to efforts to influence the content, introduction, passage or defeat of legislation, must be reported.

To: Hugo M. Pfaltz, Jr., Esq.


-2-

August 23, 1973

The question of what additional reporting of expenditures, if any, is to be required in the proper administration of the Act, is presently under consideration by the Commission. We express no opinion at this time as to reporting requirements, if any, regarding such other expenditures.

Yours very truly,

New Jersey Election Law
Enforcement Commission


Edward J. Farrell, Esq.
Legal Counsel

EJF:bjv

BOURNE AND NOLL

A PROFESSIONAL CORPORATION

COUNSELLORS AT LAW

382 SPRINGFIELD AVENUE

SUMMIT, N.J. 07901

(201) 277-2200

DONALD BOURNE
CLYDE M. NOLL
WALLACE W. BARNES
EDWARD T. KENYON
HUGO M. PFALTZ, JR.
ROBERT B. BOURNE
CARY R. HARDY
LEWIS N. WILSON
CHARLES R. BERMAN
KENNETH R. JOHANSON
JOHN A. LUCIDO
MOLLY E. COHEN
(CALIFORNIA BAR ONLY)

June 8, 1973


Frank P. Reiche, Chairman
New Jersey Election
Law Enforcement Commission
1 Palmer Square
Princeton, New Jersey 08540

Dear Frank:

This is to follow up my telephone conversation to you concerning reporting under the New Jersey Campaign Contributions and Expenditures Reporting Act. I have been studying the law and, frankly, I find it most confusing. I am sure that you have been beseeched with questions from others who are likewise in a quandary. I would appreciate your putting me on your mailing list for whatever rulings the Commission may make in the future.

Meanwhile I have a specific problem. As I explained to you I am a registered legislative agent. At the present time I only represent the Savings Banks' Association of New Jersey in this capacity. The Association is not, itself, registered with the Legislative Activities Disclosure Act of 1971, however I and some of its officers are registered as legislative agents. The Association does not support any candidates for office, however it is naturally concerned with legislation which may affect savings banks. I believe that its activities could be broad enough to be encompassed within the term "political information organization". It does not expend any money on behalf of any candidate or public question although, part of my fees are earned for the preparation of bills to be introduced and my various activities in Trenton on behalf of legislation in which the Association is interested. I assume the Association is not subject to the pre and post election reporting requirements of Section 16 of the Act. However, what about the annual March 1st reporting required under Section 8? Should it report the salary paid to its executive vice president (who is a registered legislative agent) and should it report fees paid to me which may relate to activities as a registered legislative agent under Section 8? I would appreciate your comments on this question.

Sincerely,


Hugo M. Pfaltz, Jr.

HMP/ps