January 21, 1976

Honorable Barry T. Parker
Senator, 8th District
115 High Street
Mount Holly, New Jersey  08060

Re: The New Jersey Campaign Contributions and Expenditures Reporting Act, Chapter 83, Laws of 1973, as Amended and Supplemented ("the Act")
Your Letter Dated August 15, 1975
Opinion #(0-17-75)

Dear Senator Parker:

Your letter dated August 15, 1975 to 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 generally with respect to the election laws, since its authority is limited to the area of its responsibility, which is the New Jersey Campaign Contributions and Expenditures Disclosure Act (N.J.S.A. 19:44A-1 and following). This Act forms only a part of the election law of New Jersey, which is contained in Title 19 of the New Jersey Statutes. The remainder of the election law is under the jurisdiction of the Attorney General of New Jersey.

The flyer which you propose to release does not violate any of the provisions of the Act. Your letter does not set forth the circumstances in which the proposed flyer would be distributed. In the event that the flyer were to be distributed by you in connection with a political campaign or at a time when you were actively engaged in a political campaign, additional questions might be raised with respect to whether its use in those circumstances would require the reporting
of some or all of the expenditure as an expenditure in aid
or furtherance of your candidacy and the inclusion of such
expenditure in your spending limits. No such facts are suggested
by your letter and in the absence of such a consideration
the material you have described does not appear to violate
any of the provisions of the Act.

Very truly yours,

Edward J. Farrell
Edward J. Farrell
Legal Counsel

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