

STATE OF NEW JERSEY  
ELECTION LAW ENFORCEMENT  
COMMISSION  
NATIONAL STATE BANK BLDG.  
SUITE 1114  
TRENTON, N. J. 08605  
(609) 292-8700

FRANK P. REICHE  
CHAIRMAN  
SIDNEY GOLDMANN  
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LEWIS B. THURSTON, III  
EXECUTIVE DIRECTOR  
EDWARD J. FARRELL  
COUNSEL

July 28, 1977

Mrs. Jay Danish  
27 Hopper Street  
Oakland, New Jersey 07436

RECEIVED  
AUG 1 '77  
N. J. ELECTION  
LAW ENFORCEMENT  
COMMISSION

Re: The New Jersey Campaign Contributions and Expenditures  
Reporting Act, Chapter 83, Laws of 1973 as  
Amended and Supplemented ("the Act")  
Your Letter Dated November 11, 1976  
Opinion #(0-14-77)

Dear Mrs. Danish:

Your letter to the Commission dated November 11, 1976 did not indicate that you were not a candidate for public office or that Mr. Tweedle was not a candidate for public office in the November 1976 election. In view of the proximity of that election and your references to that election, the Commission proceeded on the assumption that either you or Mr. Tweedle, or both, were candidates in that election.

I am since advised by a telephone call from Mr. David Stuerman that neither you nor Mr. Tweedle were candidates in the November 1976 election. In view of those additional facts, and in the absence of facts showing the activity to be in aid or furtherance of the candidacy of any other candidate, the activity will not be regarded by the Commission as subject to the reporting requirements of the Act.

Yours very truly,

*Edward J. Farrell*  
Edward J. Farrell  
Legal Counsel

EJF:jj

0-14-77

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May 27, 1977

RECEIVED  
JUN 7 1977  
ELECTION LAW ENFORCEMENT  
COMMISSION

Mrs. Jay Danish  
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Re: The New Jersey Campaign Contributions and Expenditures  
Reporting Act, Chapter 83, Laws of 1973 as  
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Your Letter Dated November 11, 1976  
Opinion # (0-14-77)

Dear Mrs. Danish:

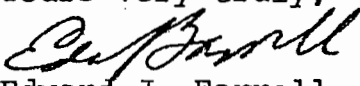
Your letter dated November 11, 1976 to the New Jersey  
Election Law Enforcement Commission ("the Commission"), including  
a request for advisory opinion, has been forwarded to me for  
reply.

The character of the materials involved, the proximity  
of the date of the publication of the material to the date  
of the election, as well as other factors, must be taken into  
account by the Commission in determining whether such material  
is political in nature and therefore subject to the reporting  
requirements of the Act.

Based upon the criteria used by the Commission, there is  
little doubt that one substantial effect, if not a substantial  
purpose, in the publication of materials of this kind immediately  
preceding the date of an election is to affect the view of  
potential voters, as well as the other purpose or purposes stated  
in your letter.

Accordingly, the Act requires reporting of the expenditure  
and that the expenditure be made through your campaign treasurer  
and through your campaign depository.

We regret that the press of other Commission business  
has caused a delay in our response to your letter. You are of  
course protected from proceedings by the Commission arising out  
of the particular facts and circumstances set forth in your request  
until the date of receipt by you of this opinion.

Yours very truly,  
  
Edward J. Farrell  
Legal Counsel

EJF:jj