Mr. John Robertson, President
Committee for Truth in Government
P.O. Box 103
Granloch, New Jersey 08032

Re: The New Jersey Campaign Contributions and Expenditures Reporting Act, Chapter 69, Laws of 1973 as Amended and Supplemented ("the Act")
Your letter dated October 30, 1986
Advisory Opinion 10-1986

Dear Mr. Robertson:

Your letter dated October 30, 1986, including a request for advisory opinion, has been forwarded to me for reply.

The Commission considers the character of the materials involved, the proximity of the date of publication of the material to the date of the election, as well as other factors, in determining whether such material is political in nature and therefore subject to the reporting requirements of the Act. Based upon these criteria used by the Commission, there is little doubt that the substantial purpose and effect of the publication of the materials of the kind which were attached to your letter is to affect the view of potential voters, and is clearly political material. Literature in opposition to a candidate is precisely the same under the statute as literature in support of a candidate. In the opinion of the Commission, the material clearly subjects your committee to the reporting requirements of the Act.

A political committee acting independently in respect of the candidacy of a candidate (in support or in opposition) will have an obligation of filing the pre-election and post-election reports called for under the Act if the amount of the expenditure for political activity, computed on a basis of reasonable commercial value, exceeds $1,000.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

By Edward J. Farrell
Counsel

EJF: no

bcc: Mr. Herrmann