



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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1987

ELECTION LAW ENFORCEMENT
COMMISSION

June 26, 1987

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Isadore I. Zlotkin, Esquire
Assistant Monmouth County Counsel
12 Court Street
Freehold, New Jersey 07728

Re: Advisory Opinion 9-1987

Dear Mr. Zlotkin:

Your letter received on June 11, 1987, by the New Jersey Election Law Enforcement Commission requesting an advisory opinion has been considered by the Commission and I have been directed to issue this response.

The Commission is unable to answer the question posed by your letter, because the Commission is authorized to provide advisory opinions only as to a portion of the election law (the New Jersey Campaign Contributions and Expenditures Reporting Act, N.J.S.A. 19:44A-1 and following: "the Act") and as to certain other laws administered by the Commission.

We can indicate that nothing in the Act or other laws administered by the Commission prohibits the formation or funding of a political committee of the kind described in your letter, and that any such committee which exceeded the monetary thresholds of the Act would incur reporting obligations pursuant to Section 8 of the Act (N.J.S.A. 19:44A-8).


The Commission does not, however, have general responsibility for the administration of laws relating to elections other than those described above, and accordingly can express no opinion on whether the formation of a committee by the Board of Freeholders of the kind you describe constitutes an appropriate use of public

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funds or is otherwise proper under applicable law. Cf. Citizens, etc. v. Bd. Ed. Par.-Troy Hills, 13 N.J. 172 (1953) (Brennan, J.)(dictum); Mountain States Legal, etc. v. Denver School Dist., 459 F. Supp. 357 (D. Colo. 1978). You may wish to check with the Division of Local Government Services in the Department of Community Affairs for guidance with respect to this latter question.

Very truly yours,

NEW JERSEY ELECTION LAW
ENFORCEMENT COMMISSION

By 
Edward J. Farrell
Counsel

EJF:nc