



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

NATIONAL STATE BANK BLDG., SUITE 1215
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TRENTON, NEW JERSEY 08625-0185
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October 18, 1988

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Harold W. Borden, Jr.
Assistant Vice President & Associate Counsel-TSE
Public Service Electric and Gas Company
P. O. Box 570
Newark, NJ 07101

Advisory Opinion No. 11-1988

Dear Mr. Borden:

The Election Law Enforcement Commission has directed me to respond to your letter received September 26, 1988 requesting an advisory opinion. Specifically, you have asked the Commission to refer to the State Attorney General this inquiry which concerns the application of N.J.S.A. 19:34-43 and N.J.S.A. 34:11-4.4 to contemplated activities of the Utility Executives for Responsible Government (UERG), a political action committee established by certain management employees of Public Service Electric and Gas Company (PSE&G).

The jurisdiction of the Commission to issue advisory opinions is limited to matters arising under "The New Jersey Campaign Contributions and Expenditures Reporting Act," N.J.S.A. 19:44A-1 et seq. This inquiry requires the application of the statute prohibiting certain regulated industries from making political contributions (see N.J.S.A. 19:34-45) and the statute regulating payroll deductions by employers (see N.J.S.A. 34:11-4.4), neither of which is within the Commission's jurisdiction. While the Commission does not have jurisdiction to provide an advisory opinion, it has in the past sought the opinions from the State Attorney General on questions involving statutes prohibiting political contributions. Since this inquiry falls within those statutes, the Commission will refer your letter for consideration by the Attorney General.

At such time as the Commission receives a response from the Attorney General, it will forward the opinion to you.

Very truly yours,

Election Law Enforcement Commission

By: Gregory E. Naff
GREGORY E. NAFF

GEN/cn