



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

SIDNEY GOLDMANN
CHAIRMAN

NATIONAL STATE BANK BLDG., SUITE 1114
28 W. STATE STREET, CN-185
TRENTON, NEW JERSEY 08608
(609) 292-8700

LEWIS B. THURSTON, III
EXECUTIVE DIRECTOR

JOSEPHINE B. MARGETT
ANDREW C. AXTELL
M. ROBERT DECOTIIS

EDWARD J. FARRELL
COUNSEL

June 9, 1981

Senator Raymond J. Zane
44 Cooper Street, Rm. 209
Woodbury, NJ 08096

ADVISORY OPINION NO. 46-80

Dear Senator Zane:

I am writing on behalf of the Election Law Enforcement Commission in response to your letter of November 12, 1980 requesting an advisory opinion. The Commission regrets the delay in responding to your request. You have asked whether it is permissible pursuant to the Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.) for a candidate to pay for tickets to political and social functions from campaign contributions. For the reasons herein stated, you are advised that the purchase of tickets to political and social functions for the use of a candidate will be considered campaign expenditures if the attendance of the candidate to those functions is reasonably in furtherance of his candidacy.

You have indicated to the Commission that you have purchased tickets for your personal attendance at various political and social functions, that you are a candidate for public office and that in the absence of your candidacy you would not have purchased such tickets. However, you have not specified the purposes of the functions, nor have you specified how your candidacy has been supported by your attendance. In order to be responsive to this inquiry, the Commission will presume that the political and social functions that are the subject of this Advisory Opinion are reasonably related to your candidacy.

The term "expenditures" is defined to include "...all loans and transfers of money or other thing of value to or by any candidate, political committee, committee of a political party or political information organization, and all pledges or other commitments or assumptions of liability to make any such transfer..." The purchase of tickets necessarily contemplates a transfer of money or other thing of value by the candidate or a political committee working on his behalf. Such expenditures must be made from the candidate's campaign depository maintained pursuant to N.J.S.A. 19:44A-9, or the depository maintained by a political committee pursuant to N.J.S.A. 19:44A-10, and must be made through the duly appointed campaign treasurer. N.J.S.A. 19:44A-11.

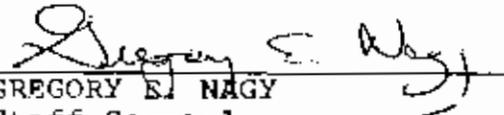
Senator Raymond J. Zane
June 9, 1981
Page 2

Finally, all expenditures paid out of the campaign fund of the candidate must be reported in his campaign reports. N.J.S.A. 19:44A-16(a). The Reporting Act does not define the term "expenditures... to support or defeat a candidate in any election" as used in N.J.S.A. 19:44A-11, but the Commission is unaware of any reason why that term should not be applied to the purchase of tickets where attendance by the candidate is reasonably in furtherance of his candidacy. If the principal purpose of the attendance is the promotion of the candidacy, as appears from the facts offered by this inquiry, payment for the purchase of tickets would meet the definition of "expenditures" and would be required to be reported pursuant to N.J.S.A. 19:44A-16(a).

The Commission wishes to emphasize that nothing contained in this Advisory Opinion should be construed to approve of the use of campaign contributions for attendance at functions not reasonably in furtherance of the attending candidate's election campaign. Since you have not presented the Commission with any facts pertinent to the relationship between your candidacy and the various functions attended other than to characterize those functions as political or social, the Commission is not in a position to pass judgment on any specific ticket purchase.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

By: 
GREGORY E. NAGY
Staff Counsel

GEN/cn