

0-28-76

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October 25, 1976

Arthur Bueher, Treasurer  
R.D. #1, Box 35  
Branchville, New Jersey 07826

Re: The New Jersey Campaign Contributions and Expenditure  
Reporting Act, Chapter 83, Laws of 1973, as  
Amended and Supplemented ("the Act")  
Your Letter Dated August 5, 1976  
Opinion #(0-28-76)

Dear Mr. Buehrer:

Your letter dated August 5, 1976 to the New Jersey  
Election Law Enforcement Commission ("the Commission"),  
including a request for advisory opinion, has been forwarded  
to me for reply.

We are not entirely clear on the question raised by your  
letter of August 5th. To the extent that the activities referred  
to in the obtaining of ads and printing a journal represent  
organization expenses for the Committee, there is no requirement  
that those expenditures be treated as expenditures in aid  
of any candidates for the general election, assuming that the  
facts support such a determination, and the fact that the  
payment is made after the date of the primary would not be  
regarded by the Commission as being determinative of the  
question.

Contributions and expenditures with respect to the  
ongoing operations of a political party committee, if unrelated  
to election activity, do not become contributions or expenditures  
with respect to the candidacy of a candidate solely by virtue  
of their having been received or made after the date of the  
primary.

If however, the intended or actual use of the journal  
is to aid a candidacy of one or more candidates, or the  
proceeds realized from the journal are used for the aid of  
a candidacy of one or more candidates, then these expenditures  
in preparing and presenting the journal and the proceeds, would  
be required to be included in election reports.

Yours very truly,

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

EJF:ja