

STATE OF NEW JERSEY

ELECTION LAW ENFORCEMENT

COMMISSION

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May 1, 1978

MAY 3 '78
LAW ENFORCEMENT
COMMISSION

Mr. H. James Saxton,
Assemblyman
223 Farnsworth Avenue
Bordentown, New Jersey 08505

Re: The New Jersey Campaign Contributions and
Expenditures Reporting Act, Chapter 83, Laws
of 1973 as Amended and Supplemented ("the Act")
Your letter dated March 23, 1978
Opinion No. 0-19-78

Dear Mr. Saxton:

Your letter dated March 23, 1978 to the New Jersey
Election Law Enforcement Commission ("the Commission"),
including a request for advisory opinion, has been for-
warded to me for reply.

The Commission is limited in the scope of its autho-
rity to the Act and does not have jurisdiction to provide
an opinion with respect to your question (in the customary
language).

The Commission does not have authority to advise
generally with respect to the election laws, since its
authority is limited to the area of its responsibility,
which is the New Jersey Campaign Contributions and Expen-
ditures Disclosure Act (N.J.S.A. 19:44A-1 and following).
The Act is only a part of the election law of New Jersey,
which is contained in Title 19 of the New Jersey Statutes.
The remainder of the election law is under the jurisdiction
of the Attorney General of New Jersey.

The Act does not prescribe what uses of political
funds are lawful or unlawful and the Commission is not em-
powered to express an opinion in this regard. The Commission
has taken the position that personal use of such funds is

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obviously not appropriate and would in that case forward evidence of such use to the appropriate law enforcement agency. Certain other dispositions of the funds, such as transfer of the funds to the County or other political party committee of the candidate, or the return of those funds pro rata to the contributors, would not be challenged by the Commission.

The Act calls for disclosure of contributions and expenditures with respect to the campaign effort. On the facts set forth in your letter, and assuming that none of the proceeds from the fundraiser would be used to retire campaign debt or for any other past or future election campaign purposes, then the running of the fundraiser and the use of those funds to run the office would be outside the reporting requirements of the Act.

For your information, I enclose herewith copy of Opinion #0-45-77, dated December 27, 1977.

Yours very truly,



Edward J. Farrell
Legal Counsel

EJF:no

Enclosure