

STATE OF NEW JERSEY
ELECTION LAW ENFORCEMENT
COMMISSION

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April 3, 1980

George B. Ebbe, Treasurer
140 Briarheath Lane
Clark, New Jersey 07066

Re: The New Jersey Campaign Contributions and
Expenditures Reporting Act, Chapter 83, Laws
of 1973 as Amended and Supplemented ("the Act")
Your letter dated June 20, 1979
Opinion #0-20-79

Dear Mr. Ebbe:

Your letter dated June 20, 1979 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 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 Expenditures
Disclosure Act (N.J.S.A. 19:44A-1 and following). This Act
forms 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
(including excess funds remaining after a political campaign)
are lawful or unlawful and the Commission is not empowered
to express an opinion in this regard. The Commission has
taken the position that personal use of such funds is ob-
viously not appropriate and would in such case forward evidence
of such use to the appropriate law enforcement agency. Certain
other dispositions of such funds would not be challenged by
the Commission, such as the 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, or a
transfer of those funds to a charitable organization of the
kind recognized by the Internal Revenue Service for purposes
of deductions on Federal Income Tax returns.

The Commission is unable to express an opinion regarding the use of such funds for the maintenance of a legislative office or the payment of newsletter or other expenses relating to legislative activity. For further information with respect to these or other possible specific uses of such funds, we would suggest that you contact Janice Mironov, Deputy Attorney General, whose area of responsibility includes the Election Law of the State of New Jersey.

Yours very truly,

Edward J. Farrell
Legal Counsel

EJF:no