

STATE OF NEW JERSEY
ELECTION LAW ENFORCEMENT
COMMISSION
NATIONAL STATE BANK BLDG.
SUITE 1114
TRENTON, N. J. 08605
(609) 292-8700

LEWIS B. THURSTON, III
EXECUTIVE DIRECTOR
EDWARD J. FARRELL

Sidney Goldmann
Chairman

Josephine S. Margetts
Andrew Axtell

RECEIVED
FEB 22 '80
N.J. ELECTION
LAW ENFORCEMENT
COMMISSION

January 15, 1980

Vincent C. A. Bitter, Jr.
26 Bradwahl Drive
Convent Station, New Jersey 07961

Re: The New Jersey Campaign Contributions and
Expenditures Reporting Act, Chapter 83, Laws
of 1973 as Amended and Supplemented ("the Act")
Your letter dated November 23, 1979
Opinion #0-21-79

Dear Mr. Bitter:

Your letter dated November 23, 1979 to the New Jersey
Election Law Enforcement Commission ("the Commission"), including
a request for advisory opinion, has been forwarded 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 obviously
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.

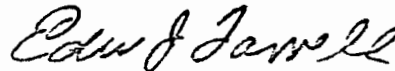
The Commission is unable to express an opinion regarding
the use of such funds for the maintenance of a legislative
office or the payment of expenses relating to legislative
activity. For further information with respect to these or

January 15, 1980

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.

If the funds are not transferred, then 60 day reports are required under the Act. There is, however, an alternative available under the Act which you may wish to consider. If the funds are transferred to another political committee (including a committee formed for future campaign activity of Mr. Albohn, whether or not he is now a declared candidate), then a final report for the "Art Albohn Campaign Fund" could be filed, noting the transfer. The new committee (after filing a D-1) would have no reporting obligation until the date for the first pre-election report for the next election in which the committee aids or promotes the nomination, election or defeat of a candidate or the passage or defeat of a public question.

Yours very truly,



Edward J. Farrell
Legal Counsel

EJF:no