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October 7, 1983

Mr. Ray Staley
217 Penna Road
Brooklawn, New Jersey 08030

ADVISORY OPINION No. 14-1983

Dear Mr. Staley:

Your letter to the New Jersey Election Law Enforcement Commission requesting an Advisory Opinion has been considered by the Commission and I have been directed to issue this response. You have asked whether a candidate or a campaign committee may use casino supported bus trips for the purpose of raising campaign contributions.

As the Commission understands the practice of certain casinos, the public is offered the opportunity to purchase tickets for bus transportation. After the purchase of such a ticket and upon the arrival of the passenger at the casino, the passenger receives from the casino a sum of currency and/or coupons reducing the cost of some casino service such as food or entertainment. You have given an example of a candidate hiring a bus and selling tickets. Although your inquiry does not specify how this practice is used by candidates for the purposes of fund raising, the Commission presumes that the candidates sell the tickets at a premium and thereby realize profits which are turned over to the candidates campaign fund.

Casino license holders, casino license applicants, and holding, intermediary or subsidiary companies thereof, are prohibited from making any campaign contributions to candidates for elective office. N.J.S.A. 5:12-138. However, this prohibition is not part of the New Jersey Campaign Contributions and Expenditures Reporting Act, N.J.S.A. 19:44A-1 et seq., which the Commission enforces. The jurisdiction of the Commission is limited to enforcement of the Reporting Act and therefore the Commission cannot issue an Advisory Opinion on this question. However, the Commission will refer your inquiry to the Office of the New Jersey Attorney General for consideration.

October 7, 1983

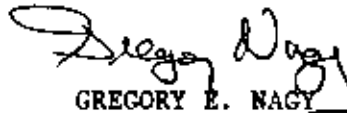
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Although you have not specifically raised the issue, the Commission notes that the activity described by you may result in the application of reporting requirements of the Campaign Reporting Act for the candidate or political committee using casino supported bus trips as fund raising events. Under the Act, payments received by the candidate or political committee, including the purchase price of any ticket, would constitute a reportable "contribution," as that term is defined by N.J.S.A. 19:44A-3(d). Similarly, any payment by the candidate or the political committee to the casino would constitute a reportable "expenditure," as that term is defined by N.J.S.A. 19:44A-3(d). Therefore, if you are submitting this question on behalf of a candidate, political committee or campaign treasurer, you should bring to his or her attention the reporting requirements that flow from such fund raising events.

The Commission will advise you of any further guidance which may be obtained from the Attorney General.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION



GREGORY E. NAGY
Staff Counsel

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