



State of New Jersey

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September 26, 1994

The Honorable John Gaffney
Assemblyman, 2nd Legislative District
4 Meadow Drive
Linwood, New Jersey 08221

Advisory Opinion No. 06-1994

Dear Assemblyman Gaffney:

The Commission has directed me to issue this response to your request for an advisory opinion concerning permissible uses of candidate funds pursuant to the New Jersey Campaign Contributions and Expenditures Reporting Act, N.J.S.A. 19:44A-1 et seq. (hereafter, the Act).

In your letter, received May 19, 1994, you asked whether campaign contributions which you have received could be used to pay for your costs in attending a conference at Duke University entitled "Strategic Leadership for State Executives." By letter dated May 23, 1994, the Commission advised you that it would defer a response to your request pending its implementation of new regulations on the subject of permissible uses of candidate funds. At its meeting of September 20, 1994, the Commission approved for adoption a final text of these regulations, and a copy of that text is enclosed for your reference. Further, the Commission directed me to issue this response to your inquiry.

You have asked whether campaign contributions you have received pursuant to the Act can be used to pay costs incurred by you arising out of your attendance at the conference. The promotional material you submitted indicates that the purpose of the conference is educational, and the curriculum is directed towards the study of management in government. The conference is apparently conducted under the auspices of the Terry Sandford Institute of Public Policy.

Please note the text of N.J.A.C. 19:25-6.7(e)3 (page 4 in the enclosed regulations). Pursuant to this provision, the costs of membership in educational organizations related to officeholding duties, and costs of registration and attendance at conferences in connection with officeholding duties are permissible uses of candidate funds. Also, such costs may include

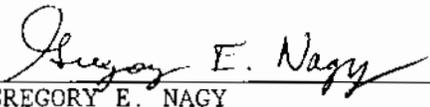
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reasonable expense of travel, lodging and other subsistence expenses. The Commission concludes that the educational program described in the program material you have submitted is pertinent to your officeholding duties, and therefore the above-cited regulation is applicable to costs of registration, and reasonable expenses of travel, lodging and other subsistence expenses.

Thank you for your inquiry, and for your patience while the regulatory process was being completed.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

By: 
GREGORY E. NAGY
Legal Director

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enclosure