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January 21, 1976

Honorable Robert A. Roe
Congressman, 8th District
156 Boonton Road
Wayne, New Jersey 07470

Re: The New Jersey Campaign Contributions
and Expenditures Reporting Act, Chapter 83,
Laws of 1973, As Amended and Supplemented ("the Act")
Your Letter of October 23, 1975
Opinion #(0-35-75)

Dear Congressman Roe:

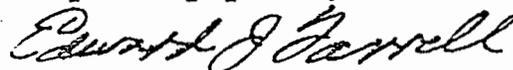
Your letter dated October 23, 1975 to the Honorable Frank Reiche, including a request for advisory opinion, has been forwarded to me for reply.

Affairs of all kinds, such as cocktail parties, breakfasts, luncheons, dinners, dances, picnics or similar affairs come within the definition of "testimonial affair" under the Act. In the opinion of the Commission an advertised garage sale of the kind described in your letter would also be covered by the Act. If the activity were carried on by a candidate or a political committee on his behalf then the activity, including the expenses of running the garage sale, would be reportable by the candidate or the committee as an expenditure by the candidate. If the garage sale were operated by a political party committee in circumstances in which it were not directly related to the candidacy of a particular candidate, then the activity would not be reportable in the pre-election and post-election reports, but would be included in the annual report filed by the political party committee.

The Act applies only to elections for state office or political subdivisions of the state within New Jersey and does not apply, of course, to elections to the Congress of the United States.

I hope that the foregoing information is of use to you. If more specific information is required, we would be happy to supply and would suggest that you ask your constituent to provide the Commission with more specific facts as to the nature of the fund raising operation involved.

Very truly yours,



Edward J. Farrell
Legal Counsel