



## State of New Jersey

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### ELECTION LAW ENFORCEMENT COMMISSION

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January 12, 1984

Senator Edward T. O'Connor, Jr.  
31st Legislative District  
1761 Kennedy Boulevard  
Jersey City, New Jersey 07305

#### ADVISORY OPINION NO.02-1984

Dear Senator O'Connor:

Your letter to the 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 campaign contributions remaining unexpended at the termination of your candidacy may be used for the purpose of paying for a "thank you" party for election workers, campaign contributors, fellow legislators, lobbyists, and others. For the reasons herein stated, the Commission is unable to express an opinion in regard to your inquiry.

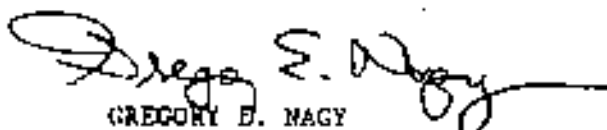
You were a candidate for re-election to the State Senate from the 31st Legislative District in the 1983 general election. The 15-day post-election campaign report filed with the Commission on behalf of your candidacy discloses a remaining balance in your campaign account of \$6,900.69.

The New Jersey Campaign Contributions and Expenditures Reporting Act, N.J.S.A. 19:44A-1 et seq. (hereafter, the Act), does not specifically address itself to the permissible uses of leftover campaign funds. Since the authority of the Commission to issue Advisory Opinions is limited to questions arising under the provisions of the Act, the Commission is unable to express an opinion with respect to your inquiry. N.J.S.A. 19:44A-6(f). In previous Advisory Opinions, however, the Commission has adopted the policy that personal use of any leftover campaign funds would not be appropriate, and any information reaching the Commission of such personal use would be forwarded to the State Attorney General pursuant to N.J.S.A. 19:44A-6(b)(10). Certain other dispositions of remaining funds would not be challenged by the Commission, such as the transfer of the funds to a county or other political party committee of a candidate, or the return of those funds pro rata to the contributors. The Commission has previously

decided that the use of remaining campaign funds for a post-election party for campaign workers would not be cause for such a referral. Advisory Opinion No. 20-1983; Advisory Opinion No. 06-1980. Extending invitations to contributors, fellow legislators and lobbyists would not appear to change the character of the social function as to raise concerns over personal use of campaign funds. Whatever disposition is alternately made of the remaining balance, campaign reports filed on behalf of your candidacy must make full disclosure of the disbursements and their uses. N.J.S.A. 19:44A-16(a).

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION



GREGORY E. MAGY  
Staff Counsel

GEN/ck