

RECEIVED

MAY 18 1976

May 17, 1976 ELECTION LAW ENFORCEMENT
COMMISSION

John Tomasin, Esq.
4800 Kennedy Blvd. W.
Union City, New Jersey 07087

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973 as Amended
and Supplemented ("the Act")
Your Letter Dated January 22, 1976
Opinion # (0-02-76)

Dear Mr. Tomasin:

Your letter dated January 22, 1976 to the New Jersey
Election Law Enforcement Commission ("the Commission"),
including a request for advisory opinion, has been forwarded
to me for reply.

The Act does not purport to apply to elections for
federal office. The Act does, however, apply to delegates
and alternates to the national conventions of a political
party, whether or not those delegates are pledged to can-
didates for federal office. Owing to the status of the
Federal Election Commission, we cannot determine at this time
whether the Federal Election Commission considers delegates
to a national convention to be candidates for federal office,
and, accordingly, the Commission does not deem that a question
of federal preemption arises at present.

There is no requirement in the Act that candidates for
federal office file any reports with the Commission. We
express no opinion respecting the extent, if any, to which
federal law or state law (other than the Act) may require
that copies of such reports be filed with the Secretary of
State or other state officials.

The import of the question contained in your paragraph
numbered 4 is not entirely clear. Expenditures and transfers
by political party committees and political committees as

John Tomasin, Esq.

-2-

May 17, 1976

defined in the New Jersey Act, which are subject to the New Jersey Act, must be reported in full, including expenditures or transfers with respect to candidates for federal offices. Committees whose activity is exclusively on behalf of candidates for election to federal office (and who are not under an obligation to report under the New Jersey Act by virtue of being political party committees subject to the Act) are not subject to the reporting or other obligations of the New Jersey Act.

We are advised that there are regulations and guidelines of the Federal Election Commission relating to the question of reporting by candidates for federal office.

We suggest that you contact the Federal Election Commission for information as to the federal regulations, rulings and opinions of that Commission. A copy of our opinion (0-38-75) addressed to New Jersey Harris for President Committee is enclosed herewith.

With respect to the questions relating to the election laws of New Jersey which are outside the jurisdiction of the Commission, we would suggest that you contact the Attorney General, whose area of responsibility includes the election laws of the State of New Jersey.

Yours very truly,



Edward J. Farrell
Legal Counsel

EJF:ja
Enclosure