



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

SIDNEY GOLDMANN
CHAIRMAN

NATIONAL STATE BANK BLDG., SUITE 1114
26 W. STATE STREET
TRENTON, NEW JERSEY 08608
16091292-8700

LEWIS B. THURSTON, III
EXECUTIVE DIRECTOR

JOSEPHINE S. MARGETTS
ANDREW C. AXTELL

EDWARD J. FARRELL
COUNSEL

December 18, 1980

Honorable Eugene J. Bedell
1 Church Street
Keansburg, New Jersey 07734

Re: The New Jersey Campaign Contributions and
Expenditures Reporting Act, Chapter 83, Laws
of 1973 as Amended and Supplemented ("the Act")
Your letter dated October 27, 1980
Opinion #0-41-80

Dear Senator Bedell:

Your letter dated October 27, 1980 to the New Jersey
Election Law Enforcement Commission ("the Commission"), in-
cluding a request for advisory opinion, has been forwarded
to me for reply.

The Commission recognizes the distinction between campaign
activity on the one hand and exploratory activity on the
other, although the Commission must carefully examine any
claim that a substantial expenditure of funds was an expenditure
for exploring the possibility of a candidacy, as opposed
to expenditures on behalf of a candidacy. Expenditures from
a group such as you describe which are for purpose of exploratory
activity would be proper expenditures; if the expenditures
by such group are in fact campaign expenditures, however,
then the expenditures by that group would be limited to a
total of \$800 in support of a candidacy for nomination for
the office of Governor.

In this connection, while we express no opinion with respect
to the expenditures which you have described, the Commission is
strongly of the view that there cannot be activity which is
described as exploratory activity, once campaign activity has
been undertaken, and the use of bumper stickers would normally
be regarded as campaign expenditures, rather than as exploratory
activity.

We are enclosing a copy of opinion #0-33-80 of the Commission dealing with exploratory activity. You will note that in that case the response of the Commission was to seek more information, since the Commission must have sufficient facts in any case to decide whether the activity is in fact exploratory activity as claimed.

Very truly yours,



Edward J. Farrell
Legal Counsel

EJF:no

Enclosure: #0-33-80 (September 30, 1980)
and Opinion Request of
September 19, 1980