



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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May 19, 1989

John W. Indyk
Political Director
Gormley for Governor '89 Committee
1125 Atlantic Avenue
Suite 638
Atlantic City, NJ 08401

MAY 21 1989

Re: Advisory Opinion No. 14-1989

Dear Mr. Indyk:

Your letter dated May 9, 1989 to the New Jersey Election Law Enforcement Commission (the "Commission") including a request for advisory opinion has been forwarded to me for reply.

The regulation relating to the computation of value of goods and services (N.J.A.C. 19:25-16.34) reads as follows:

(a) Goods and services shall, for purposes of the reports required to be filed under the act and for purposes of the expenditure limitation contained in section 7 of the act (N.J.S.A. 19:44A-7) where applicable, be valued by the reasonable commercial value of such goods and services to the candidate, whether or not the cost or value of such goods or services to the contributor or other provider of those services is higher or lower than such reasonable commercial value.

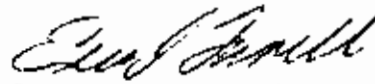
A somewhat analogous provision dealing with funds or materials remaining from a primary campaign is contained in N.J.A.C. 19:25-16.17 and reads as follows:

(b) Materials such as campaign literature, buttons and office supplies and equipment remaining from the primary campaign of a candidate may not be transferred to the general election campaign of such candidate if nominated or to any other election campaign of such candidate or of any other candidate or political committee but may be purchased by the general election campaign for cost or other reasonable value.

In the view of the Commission there must be an allocation of the costs for film footage obtained under the direction of Campaign Consultants Inc. for Senator Gormley's 1987 state senate campaign. The Commission would not challenge the calculation of the cost to be apportioned to the gubernatorial campaign by using the proportion of the total cost obtained by dividing the total footage to be used in the gubernatorial campaign by the total footage used in the senatorial campaign in 1987.

A word of caution is necessary here. The total film footage used in the senatorial campaign would not be regarded by the Commission as all of the footage which was shot in the course of production. The Commission understands the term to mean the total amount of film, after completion of all editing, which would have been regarded as the finished product delivered to the campaign for use in the campaign.

Yours very truly,



Edward J. Farrell

EJF:dc

cc: Mr. Frederick Herrmann ✓