



## State of New Jersey

### ELECTION LAW ENFORCEMENT COMMISSION

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April 23, 1984

John A. Paparazzo, Esq.  
93 Newark Pompton Turnpike  
P.O. Box B  
Riverdale, New Jersey 07457

#### Advisory Opinion No. 09-1984

Dear Mr. Paparazzo:

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 to a political committee which remain unexpended at the time that the committee terminates its activity for a particular election may be applied for use in a future election and, if so, what reporting requirements arise under the Campaign Contributions and Expenditures Reporting Act, N.J.S.A. 19:44A-1 et seq. (hereafter, the Act).

You write that you are the treasurer of the Campaign Fund of Fried, Rolli and Palmer. William R. Fried, Jr., Victor B. Palmer, Jr. and Nicholas M. Rolli were candidates for municipal office in the Borough of Verona, Essex County, in the 1983 general election. The Campaign Fund which supported these candidates filed a 60-day post-election report with the Commission on March 26, 1984 which disclosed that there were no remaining outstanding obligations from the 1983 general election, and a remaining balance of \$125.56 in the campaign depository bank account. You write that all campaign business has come to an end for the 1983 general election, and inquire whether the remaining balance may be deposited for use in the 1984 general election, and how the transaction should be reported.

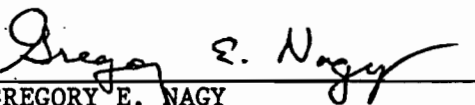
The Act does not specifically address the permissible uses of leftover campaign funds. Since the authority of the Commission to issue Advisory Opinions is limited to questions arising under the provisions of the Act, the Commission is unable to express any opinion concerning what uses of campaign funds remaining at the termination of activity for an election are permissible or impermissible. N.J.S.A. 19:44A-6(f). The Commission can only advise you that nothing contained in the Act prohibits the use of remaining campaign funds for a future election, and the Commission is not aware of any other prohibition to such a contemplated use.

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The report filed on behalf of the Campaign Fund on March 26, 1984 was certified as a final report. However, since a remaining balance of \$125.56 exists, a letter amendment should be filed giving notice that the balance will be applied to the 1984 general election. With the filing of the letter, the committee should designate either the existing bank account, or another bank account as its campaign depository for the 1984 general election on a "Political Committee Designation of Campaign Treasurer and Depository" (Form D-2). A copy of this form is enclosed for your convenience. When the committee makes its initial filing for the 1984 general election, the transfer of funds from the 1983 general election must be the first transaction reported. This is achieved by reporting the transfer on either Schedule A of the detailed reporting form (Form R-1) or in the event that the detailed reporting is not necessary because the committee is expending less than \$4,000.00 on behalf of two or more candidates, on a "Supplemental Contributor Information Form" (Form C-1). The initial filing for the 1984 general election will be due 29 days before that election, that is October 9, 1984.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

BY:   
GREGORY E. NAGY  
Staff Counsel

GEN/ck  
Enclosure