



## State of New Jersey

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### ELECTION LAW ENFORCEMENT COMMISSION

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February 18, 1983

Stephen J. Edelstein, Esq.  
West Essex Office Center  
1129 Bloomfield Avenue  
West Caldwell, NJ 07008

#### ADVISORY OPINION NO. 05-1983

Dear Mr. Edelstein:

Your letter dated February 1, 1983 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 the "Friends of Peter Shapiro", a political committee, must under the provisions of the Campaign Contributions and Reporting Act (hereafter, the Act) aggregate contributions it received by another political committee that maintained and controlled the campaign fund of Mr. Shapiro in his 1982 general election candidacy for Essex County Executive. For the reasons stated below, you are hereby advised that aggregation of contributions received by the two political committees is not required by the Act.

You have written that the Friends of Peter Shapiro Committee was established in part, to raise funds to satisfy debts incurred in connection with the primary and general election campaigns of Mr. Shapiro for Essex County Executive in 1982. A fund raising event is anticipated, and your letter indicates that no more than 20% of the proceeds shall be contributed to the "Re-elect Peter Shapiro Committee," a candidate-related political committee that filed and continues to file campaign reports disclosing the financial activity of Mr. Shapiro's campaign depository. At the Commission meeting conducted on February 14, 1983, Angelo Genova, Esq., representing the "Friends of Peter Shapiro," indicated that the actual percentage would be closer to 10%, and the Commission for the purposes of this opinion assumes 10% is the correct figure. The remainder of the proceeds from the fund raiser will be dedicated to activities for Mr. Shapiro which include travel, lectures, test polls and contributions to other candidates.

According to the Commission records, Mr. Shapiro filed campaign reports (Form R-1) for his 1982 general election candidacy for Essex County Executive under the name "Re-elect Shapiro Committee", and Angelo Genova, Esq., was treasurer. As of the date of this Advisory Opinion, the candidate has not certified that the business of the campaign has been wound up and therefore has a continuing obligation to file campaign reports at 60 day intervals as provided in N.J.S.A. 19:44A-19(b).

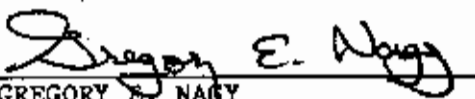
The Act contemplates that post-election fund raising events for candidates may be conducted by political committees which are separate and distinct organizational

entities from the candidate's campaign organization and depository. N.J.S.A. 19:44A-18. The Commission believes that the statute contemplates that a political committee, separate and independent from a campaign fund controlled by a candidate, can come into existence after the date of an election for the purpose of raising funds to meet remaining candidate debts. Such a political committee would acquire reporting obligations pursuant to N.J.S.A. 19:44A-18, and those obligations are separate and distinct from reporting obligations that exist on the candidate's campaign fund by virtue of N.J.S.A. 19:44A-16.

Based upon this fact record and representations before it, the Commission can conclude that the "Friends of Peter Shapiro Committee" is a distinct entity with separate reporting requirements under the Act from the "Re-elect Peter Shapiro Committee". Therefore the Commission concludes that the "Friends of Peter Shapiro Committee" has no obligation to aggregate contributions it received with those contributions received by the "Re-elect Peter Shapiro Committee". The Act, however, does of course require that the "Friends of Peter Shapiro Committee" identify the name, address and the date and amount of any contribution the "Friends of Peter Shapiro Committee" received from a single source which in the aggregate exceeds \$100.00. N.J.S.A. 19:44A-18.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

By:   
GREGORY E. NAGY  
Staff Counsel

GEN/db