



State of New Jersey

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May 16, 1989

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Thomas Quattrochi
Treasurer
Continue Progress With Primas Committee
918 Everett Street
Camden, NJ 08104

Advisory Opinion No. 11-1989

Dear Mr. Quattrochi:

The Commission has directed me to issue this response to your request for an advisory opinion concerning the use of campaign funds for the payment of a salary to the campaign executive director and treasurer.

You are the treasurer of a campaign fund active in the 1989 municipal election, "Victory '89 - Continued Progress With Primas." This committee has been designated by Camden Mayoralty Candidate Melvin R. Primas, Jr. and by Camden Council Candidates Edwin R. Raiczuk, Aeron A. Thompson and Jesus Torres as their 1989 municipal election campaign committee pursuant to N.J.S.A. 19:44A-16(h). According to the initial 29-day pre-election report filed by this committee, various payments have been made for salaried campaign employees and for salaried campaign consultants.

The stated public policy of the Campaign Contributions and Expenditures Reporting Act (hereafter, the Act) is to require reporting of all expenditures made to aid or promote the election or defeat of any candidate for public office; see N.J.S.A. 19:44A-2. Payment of compensation to salaried employees and political consultants for services that aid or promote the election campaign are not specifically restricted or limited by the Act, and in fact are a common campaign practice.* While such

* Please note that a payment to a candidate serving in any capacity would possibly be subject to the prohibition against personal use of campaign funds set forth in N.J.A.C. 19:25-7.4 (copy enclosed). The Commission does wish to note its intention to explore at a future date the possibility of establishing specific regulations over candidate use of campaign funds to pay to himself or herself compensation for campaign activity on behalf of the candidate, or on behalf of another candidate. You will be advised if regulations are subsequently proposed. However, the facts submitted in this inquiry do not suggest any candidate will receive such compensation and therefore that question need not be considered.

Thomas Quattrochi
May 16, 1989
Page 2

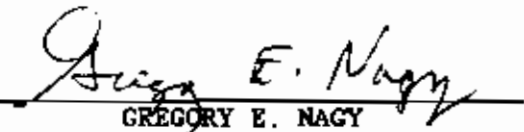
expenditures are permissible, they are of course subject to full reporting disclosure and therefore any disbursement for such a purpose should be clearly reported on Schedule D of the Form R-1. In reporting such a disbursement the campaign should specify the purpose of the disbursement, that is whether or not the disbursement was made for the purposes of salary, or consulting fee, and the period of time to which the compensation relates. As is the case with any disbursement, the date of payment, the check number, the full name of the payee and the full mailing address as well as the amount must also be disclosed.

If you have any further question concerning specific reporting of such transactions, please do not hesitate to contact our staff.

Thank you for your inquiry.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

BY: 
GREGORY E. NAGY

GEN/cn
Enclosure