

July 15, 1974

Mr. Nathan McClure
86 Knollwood Drive
Murray Hill, New Jersey 07974

Dear Mr. McClure:

This will acknowledge receipt of your letter of July 7, 1974 which the Commission has chosen to consider as a request for formal opinion under provisions of paragraphs 6(f) of Chapter 83 of the Laws of 1973. Your questions will be dealt with, in order, as set forth in your letter.

- a) Contributions of \$100 or less need not be reported by the filing entity (either candidate or committee) unless the contributor has made previous contributions which when added to the most recent contribution aggregate more than \$100. The hypothetical set forth in your question (a) would not require reporting by the candidates who received \$35 each from the contributor.
- b) If the three candidates each receiving \$35 from the hypothetical contributor have separate depositories, then the existence of a common treasurer between them would not make any difference to the answers set forth to question (a) above. However, if the three candidates are financing their campaign through a joint depository so that the entire contribution of \$108 was made to the campaign committee for the three candidates, then the name and address of the contributor would have to be divulged in the committee's report.
- c) Assuming the "associated candidate" means a candidate whose campaign is being handled with that of another candidate from a single depository, a check made payable to the campaign entity for \$150 would be reportable by the campaign entity. Checks made payable to each of the candidates in the amount of \$75 each and endorsed to the joint campaign bank account would not be reportable by the candidates or the campaign entity, except in lump sum (i.e., total amount of all contributions of \$100 or less).

- d) The fifth paragraph of Section 19:44A-16, when read in conjunction with paragraph 5 of 19:44A-8 means that no political committee need file reports pursuant to section 8 if the candidate supported by that Committee is entitled to file an affidavit that his or her expenses shall not in the aggregate exceed \$1,000. Such a political committee would, of course, be required to divulge the name and address of any contributor contributing in excess of \$100 to it.

Yours very truly,

Edward J. Farrell
Legal Counsel

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cc: E.J. Farrell ✓