

May 22, 1974

Mr. Charles E. Humiston  
Box 241  
Bernardsville, New Jersey 07924

Dear Mr. Humiston:

RE: Advisory Opinion (O-50-74)

This will acknowledge receipt of your letter of May 16, 1974 which the Commission has elected to treat as a request for advisory opinion as authorized by Section 6(f) of Chapter 83 of the Laws of 1973 (The Act). (N.J.S.A. 19:44A-6(f))

The definition of "candidate" as provided in section 3(c) of the Act is:

The term "candidate" means an individual seeking election to a public office of the State or of a county, municipality or school district at a primary, general, municipal, school or special election; except that the term shall not include the office of county committeeman or committeewoman.

As you will note, it refers specifically to "public office of the State", and does not include any reference to Federal office. Again in section 4, the Act refers to "public office of the State", but does not include Federal office.

Since the Commission has no jurisdiction over campaign contribution and expenditure reporting of Federal candidates by virtue of the existence of federal law on the subject of campaign finances as well as the definitions of Chapter 83 of the Laws of 1973, as above cited, the Commission is likewise without jurisdiction with respect to the actions of the Committee alleged in your letter of May 16, 1974.

Mr. Charles E. Humiston

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The Commission is therefor unable to make any findings with respect to the actions of the Somerset County Committee as alleged in your letter of May 16, 1974.

Yours very truly,

NEW JERSEY ELECTION LAW  
ENFORCEMENT COMMISSION

Edward J. Farrell, Esq.  
Legal Counsel

DFN:EJF:hl

CC: Edward J. Farrell, Esq.