



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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June 16, 1981

Vincent P. Fox  
629 Parsippany Road  
Parsippany, NJ 07054

ADVISORY OPINION No. 29-1981

Dear Mr. Fox:

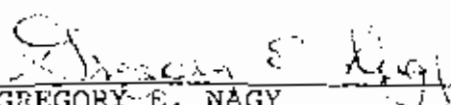
I am writing on behalf of the Election Law Enforcement Commission in response to your letter dated May 29, 1981 requesting an advisory opinion. You have asked whether as a candidate in a political party convention to nominate a person to run for a vacant freeholder seat you acquired any filing obligations pursuant to the Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.). For the reasons stated herein, you are advised that persons seeking the nomination of a political party committee at a party convention do not have filing obligations under the Reporting Act.

The Commission has been informed by the Clerk of Morris County that you were recently a candidate in a party convention called to designate a nominee for that political party for a vacant county freeholder seat. The vacancy arose after the deadline for the filing of petitions for the primary election, and therefore it is the understanding of the Commission that the party convention procedure as provided by N.J.S.A. 19:27-11 and 19:13-20 was used to select the party nominees for the vacant seat in the November 1981 general election. You have informed the Commission that you were unsuccessful in your bid for the political party nomination.

The provisions of the Reporting Act apply generally to elections for public office. N.J.S.A. 19:44A-4. The term "election" is defined to mean "...the procedure whereby the electors of this State or any political subdivision thereof elect persons to fill public office or pass on public questions." N.J.S.A. 19:1-1. A political party convention held for the purpose of selecting nominees is not an "election" within the meaning of N.J.S.A. 19:44A-4, and therefore the provisions of the Reporting Act are inapplicable. However, the Commission notes that the nominees selected by their respective political party conventions would become candidates for the general election and therefore acquire reporting obligations for that general election.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

By:   
GREGORY E. NAGY  
Staff Counsel

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