

OPINION
66-157

September 12, 1966 (OPINION)

Mr. Albert A. Wolf

State's Attorney

Burleigh County

RE: Political Parties - Organizational Meetings - Date

This is in reply to your request of September 9, 1966, for our opinion with regard to the interpretation of section 16-17-10 of the 1965 Supplement to the North Dakota Century Code.

As we understand the question and problem, it is basically as follows: The statutory language "on the third Monday in September following the primary election" is the culprit. Does this mean the third Monday after the September election (September 26) or does it mean the third Monday in September (the 19th)? Apparently the legislature amended this section and merely substituted "third" for "second" and "September" for "July", but left the remaining language the same.

Where the meeting was held in July no real problem arose as to what is meant by the language; however, in this instance there is some basis for confusion. It is our opinion that the language "following the primary election" is merely intended to provide that the meeting shall occur only on those years in which a primary election was held, and that the "third Monday in September" means exactly what it states - the "third Monday in September" which would be for the year 1966 (September 19th).

It is also our opinion that the language "following the primary election" is merely to identify the year in which the meeting is to be held and does not attempt to specify which "Monday" in September the meeting is to be held.

HELGI JOHANNESON

Attorney General