

OPINION
46-82

May 7, 1946 (OPINION)

ELECTIONS

RE: Precinct Committeemen

This office is in receipt of your letter of May fourth requesting an opinion from this office as to whether county auditors are required to publish the names of precinct committeemen who are candidates to be elected at the primary election in June.

Section 16-0413 of the North Dakota Revised Code of 1943 provides as follows:

"Upon the receipt by the county auditor of the certified list names provided for in section 16-0412, he shall publish under the proper party designation and the title of each office:

1. The name and address of each person for whom nomination papers have been filed in his office or in the office or in the office of the secretary of state;
2. The date of the primary election;
3. The hours during which the polls will be open; and
4. The statement that the primary will be held in the regular polling place in each precinct.

Such notice shall be published in the official county newspaper once each week for at least two consecutive weeks prior to the primary election."

Title 16-17 deals with precinct committeemen, and section 16-1707 provides that, "Except as otherwise provided in this chapter, the provisions of chapter 4 of this title, relating to primary elections, shall govern the election of precinct committeemen with reference to the preparation, printing, distributing, voting, canvassing, returning, and disposition of ballots, the notice of election, the holding and conduct of elections, the certifying of election results, and the penalties for the violation of the election laws."

Nomination papers for precinct committeemen are filed in the office of the county auditor. It seems clear, in reading sections 16-0413 and 16-1707 together, that the names and addresses of candidates for precinct committeemen must be published in the same manner as other candidates.

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