

Opinion No. 246.

Elections—County Central Committee—Chairman, Qualifications of—Section 662, Chapter 84, Laws of 1939.

HELD: A person need not be a precinct committeeman in order to qualify as chairman of the county central committee.

August 1, 1940.

Mr. A. E. Klingler
Savoy, Montana

Dear Mr. Klingler:

You have asked the question whether the precinct committeemen must select a chairman from their own number.

Section 662, R. C. M., 1935, as amended by Chapter 84, Laws of 1939, provides:

“* * * Said committee shall meet and organize by electing a chairman and secretary within thirty days after the candidates of their respective political parties shall have been nominated.”

This section does not specify that a person must be a committeeman in order to qualify as chairman of the county central committee, nor can we find any other statute fixing such qualification. In the absence of a statute requiring it, we are not permitted to legislate by reading such provision into the statute.

It is our opinion that the precinct committeemen are not required to select a chairman from their own number. Moreover, we have found from inquiry that it has been the practice in many instances for the precinct committeemen to select the chairman from outside their number.