



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert B. Corbin

LAW LIBRARY  
ARIZONA ATTORNEY GENERAL

January 9, 1985

Senator William J. DeLong  
Arizona State Senate  
State Capitol - Senate Wing  
Phoenix, Arizona 85007

Re: 185-003 (R84-212)

Dear Senator DeLong:

This letter is in response to your inquiry concerning the eligibility of appointed precinct committeemen to hold a county committee office. Based upon our review of the pertinent statutes, we conclude that an appointed committeeman may hold a county committee office notwithstanding the fact that he cannot vote at the organizing meeting.

A.R.S. § 16-821 prescribes the manner in which a county committee is selected, and states that "[t]he whole number of precinct committeemen of a political party shall constitute the county committee of the party." These precinct committeemen are elected at the primary election, unless a vacancy occurs. A.R.S. § 16-821.A. Vacancies in the county committee are filled in accordance with A.R.S. § 16-821.B which provides that the county chairman of the appropriate political party submit a list of names to the Board of Supervisors, who shall then select a person to fill the vacancy. The statutes thus contemplate that the total membership of the county committee may consist of both elected and appointed members.

Senator William J. DeLong  
January 9, 1985  
Page 2

The county committee is required to hold an organizing meeting no later than the second Saturday in January of the year following a general election. During this organizing meeting, the county committee "shall elect from its membership a chairman, a first vice-chairman, a second vice-chairman, a secretary and a treasurer." A.R.S. § 16-824 (Emphasis added). A.R.S. § 16-821.B limits the voting at this organizational meeting to those "precinct committeemen elected at the primary election prior to the date of a state or county committee organizing meeting." (Emphasis added). Because the legislature has limited voting at the organizing meeting to elected committeemen, you have asked whether a similar restriction applies to the eligibility of a committeeman who is appointed rather than elected to hold a committee office.

We think that the foregoing statutes permit an appointed county committeeman to serve as an officer of the county committee, absent an express restriction similar to the voting restriction. The fact that the legislature expressly limited eligibility to vote at the organizing meeting to elected committeemen, and did not similarly limit eligibility to serve as an officer of the county committee leads us to conclude that the legislature intended that an appointed member of the county committee could serve as an officer of the committee.

Sincerely,



BOB CORBIN  
Attorney General

BC:JLK:kc