

ELECTIONS: Judges of special referendum election to be selected by County Court from lists of names submitted by the committees of the political parties.

March 28, 1950

3/30/50



Senator W. R. Walker
Carrollton, Missouri

Dear Sir:

This is in answer to your letter of recent date requesting an official opinion of this department, reading as follows:

"Does the County Court have to select the Judges of Elections from the lists of names submitted by the Political Committees.?"

We are enclosing an official opinion of this department rendered under date of February 24, 1950 to Raymond H. Vogel, Prosecuting Attorney of Cape Girardeau County, which opinion holds that the special referendum election to be held April 4, 1950 may be conducted under the provisions of Section 11682, R. S. Missouri, 1939, or Section 11482(a), Laws of Missouri, 1943, page 550.

We are also enclosing an official opinion of this department rendered under date of March 7, 1950 to Ronald J. Fuller, Prosecuting Attorney of Phelps County. This opinion holds that the County Court selects the judges for the special referendum election to be held April 4, 1950 when such election is conducted under the provisions of Section 11682, R. S. Missouri, 1939.

We believe that the provisions of Section 11502, R. S. Missouri, 1939, quoted in the enclosed opinion to Mr. Fuller, also govern the selection of judges at the special referendum election appointed under the provisions of Section 11482(a), Laws of Missouri, 1943, page 550.

Therefore, the judges who are to serve at the special referendum election to be held April 4, 1950 are to be selected from the lists submitted by the central committee

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of the two political parties who received the largest number of votes and the next largest number of votes in the 1948 election, that is, Republican and Democratic.

CONCLUSION

It is the opinion of this department that the judges who are to serve at the special referendum election to be held April 4, 1950 are to be selected by the county court from the lists submitted by the central committees of the Republican and Democratic parties.

Respectfully submitted,

C. B. BURNS, JR.
Assistant Attorney General

APPROVED BY:

J. E. TAYLOR
Attorney General



CBB:lrt

Two enclosures