

Opinion No. 55-6343

December 14, 1955

BY: RICHARD H. ROBINSON, Attorney General

TO: Mrs. Natalie Smith Buck, Secretary of State, Santa Fe, New Mexico

We are in receipt of your letters of November 18 and December 8 calling our attention to the compilation of Chapter 148, Laws of 1955, and Chapter 79, Laws of 1955, Chapter 148 being compiled in the 1955 Cumulative Pocket Supplement as § 3-2-21 (2) and Chapter 79 being compiled in the same annotation as § 3-2-21 (1).

You call our attention to a compiler's note which indicates that the two sections deal with different subject matters. With this conclusion, we disagree.

The only substantial difference between the two statutes is the difference in the length of time a voter must be notified that his registration is cancelled. In Chapter 79, the voter must be notified at least thirty days prior to the act of cancellation, and in Chapter 148, the voter must be notified at least ten days prior to such cancellation. In all other respects the two statutes appear to us to deal with exactly the same subject matter and cover exactly the same field.

Section 3-2-21 (2), which is Chapter 148, is the later of the two enactments. We believe that such act supersedes Chapter 79 and, therefore, Chapter 79 is repealed.

Therefore, it is the opinion of this office that Chapter 79, Laws of 1955, was repealed and superseded by Chapter 148, Laws of 1955, and that the same should be omitted in any future supplement to the 1953 New Mexico Statutes Annotated.

We sincerely hope this answers your inquiry.

By Fred M. Standley

Assistant Attorney General