

Opinion No. 36-1454

October 26, 1936

BY: FRANK H. PATTON, Attorney General

TO: Mr. S. H. Bernard, Kingston, N.M.

{*146} We have your letter of October 23rd with regard to certain matters pertaining to our election laws.

Your first question is as to a person who is registered in one precinct of Grant County, but who has now moved from the precinct in which he is registered. If he has made this move since registration and wishes to vote in the precinct in which he now resides even though he is not registered then he should notify the County Clerk of Grant County of his change of residence and the County Clerk will transfer his registration.

Your second question is whether or not a member of a rural school board may serve as a judge or clerk of election. Section 41-316 of the 1929 Code, as amended by Section 32 of Chapter 147, Laws of 1935, prohibits any member of any board of education from acting as any of the election officials mentioned in said law. We believe that this includes members of rural boards of education.

You next ask advice as to absentee ballots in New Mexico. You are correct in your understanding that no absentee ballots of any nature can be voted in New Mexico in the coming election.

By J. R. MODRALL,

Asst. Atty. General