

## Opinion No. 37-1741

August 17, 1937

**BY:** FRANK H. PATTON, Attorney General

**TO:** Honorable John E. Miles Chairman, Democratic State Central Committee Santa Fe, New Mexico. Honorable George Craig Chairman, Republican State Central Committee Albuquerque, New Mexico

{\*151} Because of numerous requests of this office I deem it advisable to acquaint you with the provisions of Section 5, Chapter 117 of the Laws of 1937, said Act being the authority for the special election on the 21st of September of this year.

Said section provides, briefly, that the person in each voting precinct qualified to vote at said special election shall be a qualified voter of such precinct as shown by the final registration book of the precinct for the last preceding general election.

It is provided that said registration list may be corrected by being purged of the names of all persons who since the date of the general election have died or have for any reason become disqualified to vote, and the names of electors who have become qualified to vote since the last general election may be added to the list.

Any qualified voter may at any time not later than ten days prior to the holding of the special election apply to the district court of the {\*152} county in which he is a qualified elector to correct or purge the registration book.

The district court then considers the petition and determines whether names should be stricken or added to the list. The district court then orders the clerk to correct, add to, or purge the same accordingly and the clerk shall make final corrected copies of said registration list available to the proper election officials on the date of the election.

Section 2 of said Chapter 117 provides that the special election shall be proclaimed, held, conducted and canvassed in the same manner and be subject to the same regulations as now provided by law for general elections.

I write this letter to you gentlemen with the thought in mind that you may desire to take steps to purge and add to the registration lists in the same manner as is done before general elections.