

Opinion No. 42-4101

June 12, 1942

BY: EDWARD P. CHASE, Attorney General

TO: Margaret Williams County Clerk Deming, New Mexico

{*207} We acknowledge receipt of your letter of June 9, 1942, wherein you request an opinion of this office as to the interpretation which should be placed upon Section 210 of the New Mexico Election Code (Section 10, Chapter 152, Laws of 1939, as amended by Section 1, Chapter 142, Laws of 1941). This section provides in part as follows:

"The county chairman * * * may furnish * * * the names of two qualified electors for each of such precincts or election districts **as are located more than seven miles from the precinct in which the county seat of such county is located measured between the boundaries nearest each other.**"

It is my opinion that the foregoing provision should be interpreted in the following manner:

The county chairman may furnish the names of two qualified electors for each precinct in the county, except for those precincts which have at least one boundary within a distance of seven miles of the nearest boundary of the precinct in which the county seat is located.

It may be implied from this provision that as to electors residing in precincts surrounding the precinct in which the county seat is located, those electors should, or at least may, perform their registration business in the office of the county clerk.

Trusting that the foregoing sufficiently answers your inquiry, I am,

By GEO. H. HUNKER, Jr.

Asst. Atty. General