

Opinion No. [29-73]

March 21, 1929

BY: M. A. OTERO, JR., Attorney General

TO: Mrs. R. B. Maupin, Tres Piedras, New Mexico.

SCHOOLS -- Qualified elector may vote at school election without registering.

OPINION

I am just in receipt of your favor of the 19th inst. calling my attention to the fact that you have been a resident of Tres Piedras and have actually lived there from seven to eight months out of each year, that all of your children have gone to school there since the time of their school age, that you have always maintained a home and have lived there more than you do in any other place, that you own a ranch in Rio Arriba County, and that you always vote up there in political elections. In other words, that you consider Tres Piedras, Rio Arriba County, New Mexico, as your legal residence.

Under the foregoing facts, you asked me whether or not you are entitled to vote in the school election to be held up there in April, and that, regardless of the fact that you were not registered at the last general election.

In reply thereto will state that in view of all of the foregoing circumstances it is my opinion that you are certainly entitled to your vote in the said election and, as for your not being registered in the last general election, that does not cut any figure at all as no registration is required for school elections.

Trusting that the foregoing clears up this situation for you, I am