

Opinion No. 44-4535

June 28, 1944

BY: EDWARD P. CHASE, Attorney General

TO: Mrs. Virginia A. Kittell, Clerk, San Juan County, Aztec, New Mexico

We are in receipt of your letter of June 21, 1944, in which you ask our opinion as to whether or not there is any way that the number of counting judges and clerks may be increased.

Section 56-315 of the 1941 Compilation provides for the appointment of judges of election and counting judges. Section 56-331 of the 1941 Compilation provides for the appointment of poll clerks and, in certain instances, counting clerks.

As neither of these provisions, nor any other provision of the General Election Law, to the knowledge of the writer, make provision for the appointment of additional judges or clerks, as is done by Section 56-812 of the 1941 Compilation with respect to Primaries, it is my opinion that you cannot lawfully cause more judges or clerks to be appointed than are provided for by the above mentioned sections.

Trusting that the foregoing sufficiently answers your inquiry, I am

By ROBERT W. WARD,

Asst. Atty. General