

**Officers—State Representatives—Presidential Electors—
Elections—Incompatibility.**

A state representative may also be a presidential elector. Presidential electors are nominated by convention and elected at the general election.

Mr. H. O. Vralsted,
County Attorney,
Stanford, Montana.

June 25, 1932.

My dear Mr. Vralsted:

You have requested my opinion whether a candidate for public office may also serve as a presidential elector, and whether, under chapter 126, laws of 1927, presidential electors are voted for at the November election.

Answering your first inquiry I refer you to volume 12 of the opinions of this office at page 328 where it is held that a state senator may be also a presidential elector. In your letter you state that it is a state representative who has also been nominated for presidential elector, so the opinion referred to above would apply.

In answer to your second question, will say that said chapter 126, as originally drawn provided for the election of delegates and presidential electors but it was amended in the course of its enactment so as to provide for the election of delegates and the nomination of presidential electors as will appear in section 2 of the act.

Also, it will be observed that section 7 provides for certificates of election as to delegates and certificates of nomination for presidential electors. Section 6 the legislature failed to amend in order to distinguish between the election of delegates and the nomination of presidential electors but the other provisions of the act above mentioned, which were amended to specifically provide for the nomination of presidential electors clearly show the intention that only delegates should be elected and that presidential electors should be nominated only. Therefore, presidential electors are only nominated at the convention mentioned in said chapter 126 and they are elected at the election in November.

Very truly yours,

L. A. FOOT,
Attorney General.