

Registration Districts, Duty of County Commissioners to Lay Out. Board of County Commissioners, Duty of With Respect to Registration Districts.

It is the duty of the Board of county commissioners, under Section 470, Revised Codes, to lay out a new county into convenient registration districts, which shall be consecutively numbered. This should be done at the regular June meeting, but a failure on the part of the board of county commissioners to perform such duty at the June meeting would not preclude the commissioners from taking action at any time prior to the registration period.

Sept. 14, 1910.

B. F. Maiden, Esq.,
County Attorney,
Libby, Montana.

Dear Sir:—

I am in receipt of your letter of September 7th, 1910, wherein you ask my opinion as to whether or not the board of county commissioners of Lincoln County may make a complete reorganization of election pre-

cincts of Lincoln County, and of the registration districts in said county.

I have given the matter considerable study with reference to the statutes relating to registration in the various counties and I am of the opinion that the advice given by you to the board of county commissioners that they may reorganize the election precincts and registration districts in Lincoln County, is sound.

Of course, Section 476 of Revised Codes provides that the electors in registration districts except those included in incorporated cities or towns which contain more than one thousand registered voters, shall only be required to register every eight years after the year 1898; and Section 480 provides that the registration agent shall determine whether the applicant for registration has enrolled in any other district, so that a re-organization of the registration districts and a destruction of the registration books for the present districts of Lincoln County would make it necessary for those electors, who are already enrolled, to register more than once in eight years, which is not in conformity with Section 476 and if these old books are to be used at all then a great many of those desiring to vote would not be able to answer question five set out in Section 480 in the affirmative. However, as Lincoln County was created since the last registration, it seems to me that there are not now any electors registered in any registration districts in Lincoln County, and that it becomes the duty fo the county commissioners under Section 470 to lay out Lincoln County in convenient registration districts which shall be consecutively numbered. The same section provides that this shall be done at each regular June meeting to be held every general election year. The present year is the first general election year since the creation of Lincoln County and I believe that it was the duty of the county commissioners to lay out registration districts at the June meeting. However, a failure on their part to do so would not in my opinion preclude the commissioners from taking that action at any time prior to the registration period.

For the reasons herein stated, I confirm the opinions given by you to the board of county commissioners with regard to the establishment of registration districts and election precincts in Lincoln County.

Yours very truly,

ALBERT J. GALEN,
Attorney General