

ELECTIONS---St.Louis election board authorized to appoint deputy commissioners for purposes of registration.

November 4, 1937

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Mr. W. H. Woodward, Chairman
Board of Election Commissioners
City of St.Louis
208 South Twelfth Boulevard
St.Louis, Missouri



Dear Sir:

We have your request of November 2, 1937, for an opinion of this office, which request is as follows:

"The Board would like a ruling from you on the question as to whether it can appoint Special Deputies to act as Registration Officers to take registrations and administer the oath required at the time of such registration, as set forth in Section 16 of the new permanent registration law applicable to the City of St.Louis.

We might refer you specifically to the following sections, which may be helpful to you: Sections 3, 4, 14, 17 and 86.

Would it be possible for you to let us have your opinion by Friday, at which time the Board will meet, as time is becoming a very important factor in the preparation of our work for the taking of registrations under this law."

Since your request involves a construction of the 1937 election law, Laws 1937, page 235 et seq., consisting of ninety sections, it will be necessary to refer briefly to the language used in that act and to rely upon the plain and ordinary meaning of the language therein used since the act has received no judicial construction.

Section 3 provides that the Board of Election Commissioners "shall have the right to employ such assistants from time to time as may be necessary to promptly and correctly perform the duties of the office, under the direction of the Board."

Section 4 in part provides:

"Any two members of the Board of Elections Commissioners shall have power to appoint before or upon any day of registration or election such number of deputy commissioners as they may deem necessary.* * * * * Such deputy commissioners shall serve for such time as the Board may determine, and may be dismissed summarily by the Board.

The duties of such deputy election commissioners with reference to registration are set out in the above section.

Section 14 provides:

"The Chief Clerk and other employees designated by the Board are hereby authorized to act as registration officers,* * *"

Section 15 also provides:

"Registration shall be conducted at the office of the Board throughout the entire year, except as hereinafter provided, upon the usual business days and at the regular office hours, and at additional hours in the discretion of the Board."

Section 17 provides:

"Any two assistants, or other employees, of opposite politics may take the registration of any person."

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CONCLUSION.

It is therefore the opinion of this office that the Board of Elections Commissioners of the City of St. Louis has authority to appoint deputy election commissioners to act as registration officers; to take such registrations and administer the oath required at the time of such registration.

Respectfully submitted,

FRANKLIN E. REAGAN,
Assistant Attorney General

APPROVED:

J. E. TAYLOR
(Acting) Attorney General.

FER:MM