

Opinion No. 47-5055

July 21, 1947

BY: C. C. McCULLOH, Attorney General

TO: Mr. Leonard R. Appleton, Administrative Officer, State Soil Conservation Comm., State College, New Mexico.

{*72} We wish to acknowledge receipt of your inquiry of July 19, 1947 pertaining to the ex-officio members of the State Soil Conservation Committee in view of the reorganization of the three Agricultural Divisions at A. & M. College.

Under the new plan, as I understand it, a dean and director of Agriculture has been appointed to direct and coordinate activities with associate directors being appointed responsible for the immediate supervision of their respective divisions.

Section 48-504 of the New Mexico 1941 Compilation provides in part as follows:

"The following shall serve, ex-officio, as members of the committee; the directors of the State Extension Service; the director of the State Agricultural Experiment Station and the governor."

It is therefore evident that the Legislature anticipated that there would be three ex-officio members of the State Soil Conservation Committee.

Ex-officio members of committees are usually designated because of peculiar knowledge or position to assist and advise with the regular committee.

Although the associate directors are subordinate to the dean and director of Agriculture, it is quite likely the associate director of Extension, and the associate director of the Agricultural Experiment Station are in a better position to advise the State Soil Conservation Committee on matters pertaining to their respective divisions than the dean and director of Agriculture.

In addition, in view of the fact the statute authorized the appointment of three ex-officio members to the Committee, it is my opinion that the Associate Director of Extension, the Associate Director of the Experiment Station, and the Governor, are the proper ex-officio members of the State Soil Conservation Committee, since the reorganization of the Agricultural Divisions of the A & M College.

Trusting the aforementioned satisfies your inquiry, I am

By: ROBERT V. WOLLARD,

Asst. Atty. General