

Opinion No. 55-6074

January 12, 1955

BY: RICHARD H. ROBINSON, Attorney General

TO: Honorable Lewis Cox State Senator, Clovis, New Mexico

We are in receipt of your letter of January 7 regarding the conflict of a city commissioner holding a paid job with the city, which was created during his term.

Section 14-17-8, NMSA, 1953 Compilation, which reads as follows:

"No mayor, trustee or alderman shall, during the time for which he has been elected, or for one (1) year thereafter be appointed to any municipal office which shall be created, or the emoluments of which shall be increased during the term for which he shall have been elected, except in the cases provided for by law; nor shall any such mayor, trustee or alderman be interested, directly or indirectly, in the profits of any contract or job for work, or services to be performed for the corporation."

would bar the councilman from receiving any pay for any office created during his term. We can find no exceptions to this statute.

Therefore, it is the opinion of this office that a person who is on the governing board of a city, town or village cannot hold a job with the city, which job has been created or the emoluments have been increased during his term of office.

We sincerely hope this answers your inquiry.

By

Fred M. Standley

Assistant Attorney General