

Opinion No. 16-1761

March 18, 1916

BY: FRANK W. CLANCY, Attorney General

TO: Mr. John McIntyre, San Antonio, New Mexico.

Nothing in the statutes prohibiting the election of a president and instructors of the School of Mines for a longer term than one year.

OPINION

{*332} I have today received your letter of the 15th instant in which you say that at the last meeting of the Board of Regents of the School of Mines you were requested to ask my opinion regarding the term for which the board could elect a president and faculty, stating that the practice has been heretofore to make such election for one year only.

I know of nothing in the statutes which would prevent the election or appointment of a president and instructors for longer terms than one year, except a possible limitation to be found in Section {*333} 5158 of the new Codification of the statutes, the effect of which is, in brief, to prohibit the contracting of any indebtedness in behalf of any state institution in excess of the appropriations made for the maintenance and support thereof. I think that this can be met, however, by a proviso in the appointment or contract that it is to be effective if the legislature makes such appropriations as would enable the Board of Regents to pay the necessary salaries and expenses.