

Opinion No. 19-2321

July 8, 1919

BY: HARRY S. BOWMAN, Assistant Attorney General,

TO: Mr. J. R. Blair, Mayor, Columbus, New Mexico.

Filling Vacancies in Village Boards.

OPINION

We are in receipt of your letter of the 3rd instant making inquiry concerning the method to be adopted in filling vacancies in village Boards of Trustees and in reply beg to advise you that the second paragraph of Section 1, House Bill No. 258, Fourth State Legislature provides that:

"All vacancies occasioned by death, disability or resignation in any city council, or board of aldermen, or board of trustees of any incorporated city, town or village, shall be filled by appointment by the mayor of such city, town or village, by and with the advice and consent of the city council or board of aldermen or board of trustees as the case may be, the person so appointed to hold his office until the election and qualification of his successor at the next succeeding municipal election."

Senate Bill No. 87 of the same session of the Legislature provides for the same system of filling vacancies as that above quoted although the language of the act is somewhat different from that contained in the House Bill.

The vacancy existing in your Board of Trustees should be filled by appointment of the mayor by and with the advice and consent of the Board of Trustees.