

Opinion No. [29-93]

April 16, 1929

BY: M. A. OTERO, JR., Attorney General

TO: Mr. Ralph E. Murphy, c/o Peabody School Furniture Co., 625 Quincy Street, Topeka, Kansas.

SCHOOLS -- But one bond election in two years. § 120-703, Code 1929.

OPINION

I am in receipt of your favor of the 14th inst. with further regard to the matter which you spoke to me about over the telephone the time you were in Santa Fe, namely, the question as to whether or not the people of Hot Springs, New Mexico can vote another bond issue for the purpose of building a new high school building there in view of the fact that a bond issue for the addition of two rooms to the said building was recently defeated in an election held for that purpose.

In reply thereto will state that section 702 of the School Code provides, among other things, as follows:

"Two separate questions may be submitted in the petition for election and in the election, in which case the vote thereon shall be separately counted, canvassed and certified, but not more than one **such** election hereunder shall be held in any two consecutive years."

In view of the foregoing, I am very much afraid that the good people of Hot Springs will not be able to hold another election until the said two year period has come around.

I shall be glad to send a copy of this letter to Mr. Johnson, the Superintendent of Schools at Hot Springs.