

Opinion No. 33-572

April 11, 1933

BY: E. K. NEUMANN, Attorney General

TO: Mary B. Lucero, Superintendent De Baca County Public Schools, Fort Sumner, New Mexico.

{*34} This is in reply to your letter of April 8, 1933 in which you state that the election for school director in school district No. 1 resulted in a tie.

In such case there is no election. 20 C. J. 208. Under the provisions of Section 96-107 and 120-815 of the 1929 Code, I am of the opinion that a vacancy will exist upon the termination of the term of office of the retiring school director, and the county Board of Education may fill such vacancy by appointment.

By: QUINCY D. ADAMS,

Asst. Attorney General