

Opinion No. 39-3005

January 24, 1939

BY: FILO M. SEDILLO, Attorney General

TO: Mr. J. D. Medina, Member, Bd. of Co. Comm., Mora County, Wagon Mound, New Mexico.

{*13} This is in response to your recent request for an opinion from this office relative to the school board election in Wagon Mound, New Mexico.

In your letter you state that two members of said municipal board of education were elected in 1933 and two members were elected in 1935. The two members who were elected in 1933 were elected for terms of six years. The two members elected in 1935 were elected for six-year terms, and in 1935 the fifth member should have been elected for a two year term, thus in 1937 a member should have been elected for a six-year term.

The terms of the two members who were elected in 1933 will expire this year and two members shall be elected in their places for six-year terms. If, however, the above elections didn't take place in accordance with Section 120-903, Chapter 120, New Mexico Supplement, 1938, then all five members shall be elected at this coming election. Two members shall be elected for six-year terms; two members shall be elected for four-year terms; and one member shall be elected for a two-year term -- the last three members being elected to fill unexpired terms, since a full term of a school board member is six years.