

Opinion No. 44-4623

December 7, 1944

BY: C. C. McCULLOH, Attorney General

TO: Mr. Howard K. Ball, Administrative Officer, State Soil Conservation Committee,
State College, New Mexico

We are in receipt of your letter of November 30, 1944, in which you ask our opinion as to whether or not the supervisor of a soil conservation district may hold another public office such as the office of county commissioner.

The only limitation upon the right to hold more than one public office is that found in Section 10-302 of the 1941 Compilation which provides for the filling of a vacancy in the event an officer accepts and undertakes to discharge the duties of another incompatible office. It does not appear that there is any incompatibility between the office of county commissioner and supervisor of a soil conservation district since there is no inconsistency between the functions thereof, nor is one office subordinate to the other.

You will please find enclosed copy of Opinion No. 3137 which bears out what has been said about it.

By ROBERT W. WARD,

Asst. Atty. General