

Opinion No. 59-189

November 13, 1959

BY: OPINION OF HILTON A. DICKSON, JR., Attorney General

TO: Mr. George W. Hannett President, Board of Directors Girls' Welfare Home
Albuquerque, New Mexico

QUESTION

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Can Mrs. Irene Richards be legally employed under the exemption for employment of residents under Section 20, Chapter 288, Laws of 1959?

CONCLUSION

Yes.

OPINION

{*292} **ANALYSIS**

It is our view that your institution comes under the exemption provided in Section 20, Chapter 288, Laws of 1959 as an "other institution". There seems to be little question about this classification.

From the enclosed extract of the Board meeting minutes, we note that the Board indicates that it had many applications but that Mrs. Richards was the only qualified person willing to accept the position at the salary provided for that position. It is further noted that the board members have stated in the minutes that they know within their personal knowledge of no qualified resident who would be willing to accept this position.

It is our view that these steps taken by the Board constitute substantial compliance with the residency exemption in the above cited section and, therefore, we are of the opinion that Mrs. Richards may be legally hired.

By: Boston E. Witt

Assistant Attorney General