

Opinion No. [30-91]

January 23, 1930

BY: E. C. WARFEL, Assistant Attorney General

TO: Chloe E. Camp, Superintendent of Public Instruction, Clovis, New Mexico.

SCHOOLS -- Voting of bonds by consolidated district.

OPINION

I have your communication of the 21st inst. in which you inquire as to the legality of holding an election for the consolidation of several districts into a union high school district, and at the same time holding an election for the voting of bonds for the same.

In answer thereto I beg to advise that there could be no consolidated district in legal existence until after the election consolidating the same, and hence, no legal election could be called for voting bonds until such consolidated district was legally in existence, so it would be best to hold your election for the consolidation of the districts, and then as soon as that is completed call your election for the voting of bonds therefor.

In answer to your second question as to the holding of an election by the union high school district when one of the consolidating districts had previously voted therein within two years, I would say that this in no way would hinder a bond election in the consolidated district as it is an entirely different entity.