

Opinion No. 31-29

January 26, 1931

BY: E. K. Neumann, Attorney General

TO: Mr. T. C. Gallagher, Supt., Texico Public Schools, Texico, New Mexico.

{*31} I have your letter of January 20, 1931, asking for opinion from this office upon the question of whether or not teachers and school officials may sell life insurance during the summer vacation, while not actively engaged in school work.

This question involves an interpretation of section 120-1415 of the 1929 Compilation. In my opinion this section does not apply to teachers or school officials selling life insurance during summer vacation, while not engaged in school work. I do not believe that the Legislature intended to prevent teachers or school officials from earning a livelihood {*32} during the period when they are not employed in school work, nor do I believe that during the summer vacation a person not employed in a school, although a teacher by profession during the school year, is included under the term "school officer or teacher", within the meaning of this Act.

As this involves a construction of an Act of the Legislature which the District Attorney of your District may be called upon to enforce, it would be a good policy to inquire of him as to his interpretation of this law.

By Quincy D. Adams,

Asst. Atty' General