

**Opinion No. 39-3208**

July 12, 1939

**BY:** FILIO M. SEDILLO, Attorney General

**TO:** Mr. Howard Brosier, Office of Superintendent of Grenville Public Schools, Grenville, New Mexico.

{\*82} By your recent letter you request our opinion as to who appoints the members of a municipal board of education in the event of resignation of a majority thereof.

In such cases the vacancy is filled by appointment by the State Board of Education.

Section 5 of Chapter 204, New Mexico Session Laws of 1937, provides as follows.

"In the event of resignation of a majority of the members of any municipal board of education such vacancies shall be filled by appointment by the State Board of Education."

By: FRED J. FREDERICI,

Asst. Atty. Gen.