

Opinion No. 41-3730

February 26, 1941

BY: EDWARD P. CHASE, Attorney General

TO: Mr. J. V. Taylor State Coordinator Soil Conservation Service State College, New Mexico

{*41} This will acknowledge receipt of your letter of February 25, wherein you request an opinion as to whether or not supervisors of soil conservation districts who are appointed by the State Soil Conservation Committee, after the initial term of one and two years has expired, are then appointed for a three-year term.

Chapter 219, Section 7 of the New Mexico Session Laws of 1937 reads in part as follows, to-wit:

"* * * The supervisors shall designate a chairman and may, from time to time, change such designation. The term of office of each supervisor shall be three (3) years, except that the supervisors {*42} who are first appointed shall be designated to serve for terms of 1 and 2 years, respectively, from the date of their appointment. * * *"

Your attention is called to that portion of the section which reads as follows:

"* * * The term of office of each supervisor **shall** be three (3) years, except * * *".

Giving the language used its natural and ordinary meaning, there is no question, in my opinion, but what the term of those supervisors who are appointed is to be three years except those supervisors who are first appointed.

In other words, it is my opinion that the first directors appointed in a soil conservation district should be appointed for terms of one and two years respectively, and that thereafter all supervisors within such district so appointed should be appointed for a term of three years.

Trusting that the foregoing sufficiently answers your inquiry, and with kind personal regards, I am

By Howard F. Houk,

Asst. Atty. General