

July 9, 1937.

Mr. Hyrum K. Mortensen,  
Principal Pomerene Public School,  
Pomerene, Arizona.

**LAW LIBRARY**  
**ARIZONA ATTORNEY GENERAL**

Dear Sir:

This will acknowledge receipt of your letter of recent date requesting an opinion from this office concerning the hiring of teachers and other employees for the school who are related to members of your school board.

It is provided by Section 1352b of the 1936 Code Supplement, of Arizona, as follows:

"Employment of relatives unlawful. It shall be unlawful for any executive, legislative, or judicial officer to appoint or vote for the appointment of any person related to him by affinity or consanguinity within the third degree, to any clerkship, office, position, employment or duty in any department of the state, district, county, city or municipal government of which such executive, legislative, ministerial or judicial officer is a member. . . . The designation executive, legislative, ministerial or judicial officer includes . . . . public school trustees. . . ."

It is therefore the opinion of this office that in accordance with the above section a Board of School Trustees may not enter into a contract employing teachers or other employees for the district, when they are related to such person by affinity or consanguinity within the third degree.

Trusting that the above fully answers your inquiries, I remain

Yours very truly,

JOE CONWAY,  
Attorney General.

E. G. FRAZIER  
Special Assistant  
Attorney General.

J. M. JOHNSON,  
Assistant Attorney General