

April 18, 1941

Mr. J. S. Coupal, Director
Department of Mineral Resources,
Capital Building,
Phoenix, Arizona.

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Dear Sir:

We have your letter of April 16th in which you state:

"May I have your opinion on the following point regarding the membership of the Board of Governors of the Department of Mineral Resources.

"Dr. N. H. Morrison was one of the original appointees by Governor Jones and his appointment was for the two-year term, ending January 31, 1941. Dr. Morrison tendered his resignation in January, 1941, shortly after Governor Osborn made his inaugural address and the request for resignations.

"To my knowledge, no appointment has been made of a new member of the Board, and I should appreciate your advising me if Dr. Morrison is still a member of the Board of Governors."

In this connection we call your attention to Section 13, Article 22 of the Arizona Constitution which reads as follows:

"The term of office of every officer to be elected or appointed under this constitution or the laws of Arizona shall extend until his successor shall be elected and shall qualify."

It is our opinion that under the section of the Constitution above cited and the facts stated in your letter that Dr. Morrison is a member of the Board of Governors of the Department of Mineral Resources, and will continue to be such until his successor is appointed and qualifies.

Very truly yours,

JOE CONWAY,
Attorney General.

EARL ANDERSON,
Special Assistant
Attorney General.