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December 14, 1954

To: Mr. P. B. Cox, Secretary, State Soil Conservation Committee
By: Howard B. Black, Attorney General

I am in receipt of your letter of December 14, 1954, in which you inquire, "whether or not an appointment may be made to fill the unexpired term of a Soil Conservation District Supervisor who has either resigned, died, or otherwise vacated his position." I am also orally advised that you have a present problem involving one of these situations.

I think the answer to this question is to be found in Section 34-1408, Wyoming Compiled Statutes, 1945, wherein this statement appears:

Vacancies shall be filled for the unexpired term. The selection of successors to fill an unexpired term, or a full term, shall be made in the same manner in which the retiring supervisors shall, respectively, have been selected.

In view of this law, it is my opinion that where the State Soil Conservation Committee has appointed two members as provided for in Paragraph (F) of Section 34-1406, Wyoming Compiled Statutes, 1945, if there should be a vacancy in their office, the Soil Conservation Committee could then appoint someone to fill the place. However, as to those Supervisors who have been elected, it is my opinion that any vacancy in their office should be filled by an annual or special election.