



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable R. H. Nichols
General Manager
Pease River Flood Control District
Vernon, Texas

Dear Sir:

Opinion No. 0-4550
Re: Can a Director of the Flood
Control District be elected
Manager and receive compen-
sation for such service?

Your letter of April 17, 1948, stating that you are one of the Directors of the Pease River Flood Control District and that the Directors had elected you to serve as General Manager with the request that we advise you whether you could serve as said General Manager and receive compensation for such services, has been given our careful attention.

The Act creating said Flood Control District passed in 1935, being Senate Bill No. 62, page 1646 of the General and Special Laws of the Forty-fourth Legislature, provides that the District shall be controlled by nine directors appointed by the Governor by and with the consent of the Senate and fixed the term of office at six years.

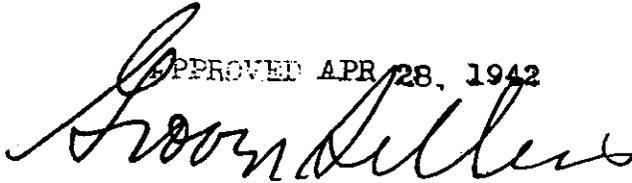
In our Opinion No. 0-410, dated March 15, 1939, we were called upon to and did pass upon the eligibility of a member of the Board of Trustees of the Texas Technological College to be elected and serve as President of said College. In said opinion we held that he was not eligible. We attach hereto a copy of said opinion.

By reason of the fact that you have been appointed and are serving as a Director of the Flood Control District it would be against public policy for you to be elected General Manager and paid a salary fixed by the Board of which you are a member. Our Opinion No. 0-410 discusses all of the questions at length. Under

Honorable R. H. Nichols, Page 2

the authorities and reasonings stated in said opinion it is our opinion that you cannot serve as General Manager of the Flood Control District and receive compensation therefor.

APPROVED APR 28, 1942



FIRST ASSISTANT
ATTORNEY GENERAL

GWB:LM

ENCLOSURE

Yours very truly

ATTORNEY GENERAL OF TEXAS

BY



Geo. W. Barcus
Assistant

