

Utah Code
Annotated

1953 Vol 5

ELECTIONS

53-5-3

day in December, 1936, one member of the board of education from school representative precinct No. 2 for a term of three years; one member of the board of education from school representative precinct No. 4 for a term of five years; one member of the board of education from school representative precinct No. 6 for a term of two years; one member of the board of education from school representative precinct No. 8 for a term of four years; and one member of the board of education from school representative precinct No. 10 for a term of six years. On the first Wednesday in December, 1938, there shall be elected one member of the board of education from school representative precinct No. 1 for a term of five years; one member of the board of education from school representative precinct No. 3 for a term of two years; one member of the board of education from school representative precinct No. 5 for a term of four years; one member of the board of education from school representative precinct No. 6 for a term of five years; one member of the board of education from school representative precinct No. 7 for a term of one year; and one member of the board of education from school representative precinct No. 9 for a term of three years. On the first Wednesday of December, next preceding the expiration of each of the above mentioned terms and each five year term thereafter, there shall be elected for a term of five years, one member of the board of education from each school representative precinct in which the term of a member expires.

History: L. 1905, ch. 107, § 4; 1907, ch. 113, § 1; C. L. 1907, § 1891x3; C. L. 1917, § 4600; R. S. 1933, 75-10-1; L. 1935, ch. 57, § 1; C. 1943, 75-10-1.

Compiler's Note.

The 1935 amendment rewrote section and added the last sentence.

Cross-References.

Duties of county clerk in school elections, 20-2-24, 20-2-29.

Elections in city school districts, 53-4-6.

1. Presumptions.

A presumption that a member who was elected and who qualified, received his salary and remained a member during the four years of his term, will be indulged. *Atwood v. Cox*, 88 U. 437, 465, 55 P. 2d 377.

Collateral References.

Schools and School Districts 48(1).
56 C.J. Schools and School Districts § 140.
School districts, 47 Am. Jur. 304, Schools § 12 et seq.

53-5-2. Election of members of boards of education in cities of the first class.—There shall be elected in cities of the first class on the first Wednesday of December of each even numbered year one member of the board of education from each municipal ward, for a term of four years; provided, that in the creation of a new municipal ward in any city of the first class there shall be elected at the next ensuing election of school board members two additional members of the board of education representing such newly created ward, one of whom shall be elected for a term of four years and the other for a term of two years.

History: R. S. 1898 & C. L. 1907, § 1895; C. L. 1917, § 4663; R. S. 1933, 75-10-2; L. 1939, ch. 74, § 1; C. 1943, 75-10-2.

Compiler's Note.

The 1939 amendment added the proviso.

Collateral References.

Schools and School Districts 46.
56 C.J. Schools and School Districts § 129.

53-5-3. Elections in cities of second class.—There shall be elected in cities of the second class on the first Wednesday of December of each

County Term for Board Members is Precinct

City School board members term is Municipal Ward

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