

Opinion No. 49-5209

April 20, 1949

BY: JOE L. MARTINEZ, Attorney General

TO: Mack Easley Assistant District Attorney Box 22 Hobbs, New Mexico

{*33} This is in reply to your letter of April 2, 1949, regarding the amount of compensation payable to county treasurer, assessor, and clerk.

Section 15-4101 classifies county officials for purposes of determining salary.

Section 15-4103 was amended by Chapter 180, Laws of 1947.

Under the provisions of Section 15-4101, counties having in the year 1941 final full assessed valuation of over fourteen million dollars are classified as counties of the first class. Chapter 180 of the 1947 Session Laws provides:

"Treasurer and ex officio collector, thirty-six hundred dollars (\$ 3600), and two thousand five hundred and twenty dollars (\$ 2520.) additional for a deputy or deputies.

Assessor, thirty-six hundred dollars (\$ 3600) and two thousand five hundred and twenty dollars (\$ 2520.) additional for a deputy or deputies.

Sheriff, forty-two hundred dollars (\$ 4200.00).

Deputy Sheriffs, a total of not to exceed three thousand nine hundred and sixty dollars (\$ 3960.).

County Clerk, thirty-six hundred dollars (\$ 3600) and two thousand five hundred and twenty dollars (\$ 2520.) additional for a deputy or deputies."

Chapter 180 of the Laws of 1947 provides further:

"Provided, further, that in any county where the assessed valuation of property for purposes of taxation is in excess of twenty million dollars (\$ 20,000,000) the officers of said county in addition to the allowance provided herein for deputies shall receive not to exceed the following:

Treasurer and ex officio collector for additional deputy or deputies twenty-seven hundred dollars (\$ 2700).

Assessor, for additional deputy or deputies, twenty-seven hundred dollars (\$ 2700.).
Sheriff, for additional deputies, two thousand dollars (\$ 2,000).

{*34} County Clerk, for additional deputy or deputies, twenty-seven hundred dollars (\$ 2700).

It is obvious, therefore, that if Lea County has an assessed valuation of property for the purposes of taxation in excess of twenty million dollars, the treasurer, assessor, and county clerk are entitled to the additional compensation of \$ 2700.00 for deputies and the sheriff is entitled to an additional \$ 2,000.00 for deputies.

We are sending a copy of this letter to the State Comptroller for his information.