

**Opinion No. 52-5518**

March 19, 1952

**BY:** JOE L. MARTINEZ, Attorney General

**TO:** Mr. Alva J. Coats Chief Supervisor New Mexico Dry Cleaning Board P. O. Box 401  
Albuquerque, New Mexico

{\*228} In reply to your letter of October 31, 1951, regarding the power of the New Mexico Dry Cleaning Board to expend monies for the purpose of offering a course in spotting and finishing for dry cleaners by staff members of the National Institute of Cleaning and Dyeing, Silver Springs, Maryland, it is pointed out that under Sections 51-2110, 51-2104, and 51-2103, New Mexico Statutes 1941 Annotated, the Board has broad and general powers in the administration of its own affairs and the expenditures of sums.

Section 51-2103 provides that the Board acting in the usual prescribed manner, may expend money to employ "technical assistants . . . to serve at the pleasure of said Board, which prescribe their powers and duties and fix their compensation."

Your attention is directed to that portion of Section 51-2110 which provides that funds may be disbursed on the lawful request of the Board for expenses of operation of the Board on vouchers, orders, checks or written requests signed by the Chief Supervisor and counter-signed by the Chairman of such Board. It would appear then, that the Board could legally expend funds for the above purpose. As to whether or not cleaners who did not attend the course would be entitled to some other consideration, it would appear to be a matter of administrative discretion resting with the Board who, elected to that position as they are, must ultimately answer to the individual members. It would further appear that should a sufficient number of licensees request a repeat course and the Board had on hand sufficient funds to offer such a course, it would fall into the same category as the original decision outlined above.

I trust that this fully answers your inquiry.