

Opinion No. 55-6319

November 15, 1955

BY: RICHARD H. ROBINSON, Attorney General

TO: Honorable Fulton J. Cox, Senator, Sierra County, Las Palomas, New Mexico

We have your inquiry of October 26, requesting an opinion from this office concerning the constitutionality of Chapter 10 Special Session Laws 1955.

Chapter 10 Laws 1955, Special Session deals with the creation and duties of an Interim Joint Committee to investigate Public Welfare in New Mexico. There can be no doubt that the legislature by law can create an investigating committee to investigate anything which concerns the legislature and which may be subject to legislation. State ex rel Robinson v. Fluent, 191 P. 2d 241, 30 Wash. 2d 194, certiorari denied 68 S. Ct. 66, 335 U.S. 844, 93 L. Ed. 394; Hamblen v. Yelle, (Wash) 185 P. 2d 723; 28 A.L.R. 1154. Since the legislature has the authority to create such a committee, we find no reasons why this law is not constitutional. The authority to pass such law would allow the legislature to set the per diem and allowances for the expenses of the members and pay for the necessary personnel of the committee. The amount to be paid may be set by the legislature so long as the amount is reasonable.

Trusting we have answered your questions, we remain

By: Paul L. Billhymer

Assistant Attorney General