

Opinion No. 57-202

August 15, 1957

BY: OPINION OF FRED M. STANDLEY, Attorney General Robert F. Pyatt, Assistant Attorney General

TO: Miss Ethel Vandenberg, Assistant Treasurer, Museum of New Mexico, Palace of the Governors, Santa Fe, New Mexico

QUESTION

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An applicant for a position with the Museum, which applicant was and is a resident of Michigan, journeyed to Santa Fe for an interview concerning the proposed employment. In order to pay for the travel expenses thereby incurred, may the Museum of New Mexico transfer funds from its salary account to its travel account?

CONCLUSION

No.

OPINION

ANALYSIS

We do not believe it is necessary to delve into any provisions of law relative to transfer of funds from one account to another inasmuch as this question is decided by a more basic matter.

We find no provision of law which authorizes the Museum of New Mexico to pay for the traveling expenses of one who is not an officer or employee of this State. See Laws 1957, Chapter 235, § 9, paragraph A., which, in providing for travel, clearly is limited to either officers or employees of the State. Certainly, a negative answer to your inquiry is even clearer since we are here dealing with one who is not a resident of this State and who is not connected with the State or any of its political subdivisions insofar as public business is concerned.