

Opinion No. 14-1328

September 17, 1914

BY: FRANK W. CLANCY, Attorney General

TO: Honorable Carlos Martinez, Chairman, Board of County Commissioners, Vallecitos, New Mexico.

TRAVELING EXPENSES.

County commissioners and assessors should be paid expenses in attending meeting of State Board of Equalization.

OPINION

{*189} I have received your letter of the 14th instant asking my opinion as to whether the county should reimburse the county commissioners and the assessor for their expenses incurred by them in attending the meeting of the State Board of Equalization.

There is no provision of law which contains any express directions upon this subject, but I am of opinion that it is proper for the county to pay those expenses and that the county commissioners have authority to make such payment under the general power given them in the fifth sub-division of Section 666 of the Compiled Laws of 1897 which authorizes them "to represent the county and have the care of the county property and the management of the interest of the county in all cases where no other provision is made by law." The attendance of the commissioners and the assessor at the meeting of the State Board of Equalization was in response to a request from the State Board, and was obviously for the public interest in general and of the county in particular, and there is no reason to expect these officers to pay their own expenses when away from home on what is really official business.