

Opinion No. 15-1583

July 14, 1915

BY: FRANK W. CLANCY, Attorney General

TO: Hon. Alvan N. White, Superintendent of Public Instruction, Santa Fe, New Mexico.

Expenses of public meetings held in a school house cannot be paid out of school funds.

OPINION

{*157} I have before me your letter of the 10th of July, with which you enclose a letter from Superintendent W. A. Poore, County Superintendent of Schools for Eddy County, together with a copy of your answer thereto, and you ask me to give an opinion with reference to the question raised by Mr. Poore.

In my opinion your letter fully and clearly states the law, and it seems hardly necessary for me to add anything to it. The question raised by Mr. Poore is, in substance, as to whether school funds may be used to pay the expenses of meetings of different organizations held in the school house. In your letter you call attention to the statute authorizing school directors to open the school house for societies belonging to their district for the purpose of holding business or public meetings, but you also call attention to another statute which may be summarized as limiting the power of school directors to the expenditure of school funds for school purposes only. It seems quite clear to me that, while the directors may permit meetings of such societies as those enumerated in Section 1533 of the Compiled Laws of 1897, yet the societies holding meetings must pay their own expenses, and cannot properly be allowed to have the use of school funds for their society purposes.

I further agree with you that it is within the lawful power of county superintendents to refuse to approve warrants drawn by the directors for payment for fuel and light used by any such society holding meetings under permission of the local board.

{*158} I return herewith the letter from Mr. Poore and the copy of your answer thereto, as you undoubtedly need them for your files.