

Opinion No. 31-94

March 23, 1931

BY: E. K. Neumann, Attorney General

TO: Col. Osborne C. Wood, The Adjutant General, Santa Fe, New Mexico.

{*53} In your letter of March 23rd you desire to know whether the president of a local armory board duly consulted under the laws of this state comes within the meaning of Section 8, Chapter 8, of the Special Session Laws of 1929, which provides in brief that no official or employee of the state or of any institution, department or agency thereof, shall be a party either directly or indirectly to any contract, or interested in any contract for the expenditure of public money and which further provides a penalty for violation of the act.

In view of the comprehensive phraseology of this section, it is our opinion that the president of an armory board is within the restricted classification.

An armory board is certainly a department or an agency of the state and the members of the board are certainly officials or employees within the contemplation of the statute.

By Frank H. Patton,

Asst. Att'y General