

Opinion No. 33-620

July 7, 1933

BY: E. K. NEUMANN, Attorney General

TO: Honorable G. D. Macy, State Highway Engineer, Santa Fe, New Mexico. Attention: Mr. Walter L. Kegel.

Re: Sec. 6, Ch. 186, Laws of 1933.

OPINION

{*63} In your letter of June 29, 1933, you state that the State Highway Department received no appropriation under the provisions of Chapter 186, Laws of 1933, (the general appropriation act) and wish to know if your department is restricted in the payment of mileage and subsistence by Section 6 of said general appropriation act.

It is my opinion that this section of the general appropriation act only {*64} has reference to the payment of travel expenses out of moneys which have been appropriated by the act itself. The language of the section favors this interpretation, since it starts out by making reference to appropriations "pursuant to this act." It is also doubtful if a general restriction, applicable in all cases, would come within the title of Chapter 186 so as to comply with the provisions of the State Constitution in that regard.

By: QUINCY D. ADAMS,

Asst. Attorney General