

Opinion No. 38-2040

August 30, 1938

BY: FRANK H. PATTON, Attorney General

TO: Hon. Clyde Tingley, Governor Chairman, Board of Supervisors New Mexico State Police Santa Fe, New Mexico

{*270} I have a copy of a letter written to you by Walter A. Koons, Regional Counsel for the Federal Emergency Administration of Public Works, questioning the authority of the Board of Supervisors of New Mexico State Police to erect a building for quartering of the State Police at Albuquerque. You have requested our views thereon.

While there is no specific grant of authority found in Chapter 35 of the laws of 1937, I call your attention to the appropriation to the New Mexico State Police found in Chapter 232, Laws of 1937, at page 677. Certainly, the State of New Mexico through some agency or another can erect public buildings, and when the appropriation, which is very broad and general, is construed with the provisions of Chapter 35 of the Laws of 1937, it is my opinion that the Board of Supervisors has the power to contract for the erection of the building proposed in your project.

However, if Mr. Koons is not satisfied as to this, it is my opinion [Illegible Word] the State Highway Department [Illegible Word] be the sponsors for this project and be reimbursed by the New Mexico State Police.

Trusting this answers your question, I am,

By: RICHARD E. MANSON,

Asst. Atty. Gen.