

Opinion No. 43-4319

June 21, 1943

BY: EDWARD P. CHASE, Attorney General

TO: Mr. S. L. Kirk, Director, Contractors' Licensing Board, Room 9, Bishop Building, Santa Fe, New Mexico

I have your letter of June 16th, 1943, wherein you request an opinion concerning whether any person coming within the definition of contractor, as defined in section 51-1903 of the New Mexico 1941 Compilation, may not be exempt from the provisions of such act unless the exemption is set out in the law.

In my opinion, the mere statement of the question, in and of itself, makes the answer self-evident. If a person is a contractor, as defined in section 51-1903, he becomes subject to the act unless he can point to a provision of the statutes which specifically exempts such contractor's type of activity from the act.

Hoping the above fully answers your question, I am,

By HARRY L. BIGBEE

Asst. Atty. General