

Opinion No. 44-4518

May 17, 1944

BY: EDWARD P. CHASE, Attorney General

TO: J. W. Branson, Dean, New Mexico College of Agriculture and Mechanic Arts, State College, New Mexico

We are in receipt of your letter of May 11, 1944 concerning item number 11 of your 1943 appropriation, which provides that:

"All net revenues derived from services subject to administration of laws are hereby appropriated and made available for operating expenses of the college."

Your attention is called to item 4 of your appropriation, which reads:

"To apply on operating expenses \$ 30,000."

The obvious legislative intent was that revenues derived from services subject to administration of laws should be added to the \$ 30,000 appropriation.

In view of this fact it is my opinion that you may transfer these various funds to the fund in which you carry the \$ 30,000 of operating expenses. From an examination of your budget it appears that this fund is carried as administration and general expenses. As a matter of precaution you should make reference to item 11 when this transfer is made.

Trusting the foregoing sufficiently answers your inquiry.

By ROBERT W. WARD,

Asst. Atty. General