

Opinion No. 45-4772

August 22, 1945

BY: C. C. McCULLOH, Attorney General

TO: Mr. Marshall S. Hester Superintendent New Mexico School for the Deaf Santa Fe, New Mexico

{*119} Replying to your request of August 20, 1945, for an opinion upon the following question. Under our present law, is it possible for us to pay board members a per diem fee for services rendered at called meetings?

Section 55-2303 of the N.M. 1941 Compilation provides, in part, as follows:

"Such board shall serve without compensation or salary except that they may be refunded actual cash expended by them in necessarily attending the meetings of such board."

A bill was introduced in the Senate at the 1945 session of the Legislature, which provided for a \$ 10.00 per diem for services rendered by members of the Board of Regents. This bill passed the Senate, but was not called for a vote in the House, and therefore did not become a law. It is, therefore, my opinion that it would not be "possible" to pay the board members a per diem fee for services rendered.

By THOS. C. McCARTY,

Asst. Atty. General