

Opinion No. 53-5852

December 1, 1953

BY: RICHARD H. ROBINSON, Attorney General

TO: Mr. Joseph O. Walton Assistant District Attorney Hobbs, New Mexico

{*272} Receipt is acknowledged of your letter dated November 3, 1953 in which you request an opinion as to whether or not the County Commissioners of Lea County have authority to pool their resources with the New Mexico Veterans Service Commission and hire a full time employee to assist the veterans, their widows and children in all matters pertaining to veterans affairs, since the New Mexico Veterans Service Commission has only \$ 240.00 a month to pay this full time employee and the Lea County Board desires to supplement this salary, and specifically wants to know if they have the authority to so supplement this salary.

We have no specific statutes authorizing the County Commissioners to enter into a contract with this employee, but they have broad powers as follows:

(1) Section 15-3402, N.M.S.A., 1941 Comp., gives the County Commissioners the power to make all contracts and do all other acts in reference to the property and concerns necessary to the exercise of their corporate or administrative powers.

(2) Under Sec. 15-3515 of the 1941 Comp., County Commissioners have the power to represent the county and have the care of the county property and the management of the interest of the county in all cases where no other provision is made by law.

Our Supreme Court has held that the powers given to the Counties and Boards of County Commissioners are very broad and that it is not necessary to contain a specification of each particular act that may be done, when the powers granted are sufficiently comprehensive to include the proposed acts. **Agua Pura Co. v. Mayor**, 10 N.M. 6, 60 P. 208. The same opinion was followed in the recent case of **Mountain States Tel. & Tel. Co. v. Town of Belen**, {*273} reported in 56 N.M. 415. The pertinent part is on page 420, Syllabus 2.

In view of the two above statutes and the two Supreme Court cases, it is the opinion of this office that the County of Lea has the authority to supplement the salary of this man that is working for the New Mexico Veterans Service Commission as long as it is for the benefit of the veterans of Lea County, and naturally for the benefit of the whole population of the County of Lea.

Trusting that this fully answers your inquiry, I remain

By: Hilario Rubio

Assist. Attorney General