

**Opinion No. 55-6338**

December 9, 1955

**BY:** RICHARD H. ROBINSON, Attorney General

**TO:** Mr. Arthur T. Noble, Jr., District Attorney, Taos, New Mexico

We have your letter of November 22, 1955, in which you requested an opinion from this office on the following question:

Does a desk clerk of a hotel come within the definition of service employees under the provisions of Chapter 200, Laws of 1955?

Section 2 of Chapter 200, Laws of 1955, reads as follows:

". . . (c) 'Service employees' shall be interpreted to mean persons employed in the following establishments and occupations:

. . . .

(3) hotels, motels, tourist courts and other establishments furnishing lodging for hire to the public; . . ."

We are of the opinion that a desk clerk is a person employed in an establishment coming within the definition of service establishment. Unless the desk clerk can bring himself within the exceptions of Section 2 (d) (1) through (11) inclusive, he certainly is a service employee.

Trusting we have answered your question, we remain

By Paul L. Billhymer

Assistant Attorney General