

Opinion No. 58-190

September 16, 1958

BY: OPINION OF FRED M. STANDLEY, Attorney General Robert F Pyatt, Assistant Attorney General

TO: Honorable Murray E. Morgan, Commissioner of Public Lands, Santa Fe, New Mexico

QUESTION

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"Whether or not Chapter 183, Laws of 1957, or any other law, authorizes the Governor to make such factual findings and to hire and fire Forest Conservation Commission personnel without the concurrence of the other members, especially in the absence of an express previous delegation of such authority by the full Commission."

CONCLUSION

No.

OPINION

ANALYSIS

Sec. 62-2-6 to and including Sec. 62-2-11, N.M.S.A., 1953 Comp., 1957 Supp., have been carefully reviewed by us. Nowhere therein is there authority for the Governor alone to hire and fire personnel of the Commission. Nor does such authority exist elsewhere. Hence our negative conclusion.

Of course, Sec. 62-2-7 empowers the Governor to appoint a forester to serve as a **member of the Commission** at the Governor's pleasure. But nowhere is the Governor given like authority over Commission **employees**.