

Opinion No. 26-3901

July 14, 1926

BY: ROBERT C. DOW, Assistant Attorney General

TO: Dr. G. S. Lockett, Director State Bureau of Public Health, Santa Fe, New Mexico.

This Office is in receipt of your oral request for an opinion with reference to the employment of persons in addition to the County Health Officer of the different counties in the proper execution of the health laws.

§ 36, Chapter 143 of the Laws of 1921 is as follows:

"Whenever, in the opinion of the Director of Public Health of the State Department of Public Welfare, conditions require the employment of persons in addition to the county health officer to properly execute the health laws, rules and regulations in any county, the Board of County Commissioners of such county, with the approval of the director of public health may employ such additional employees as the director of public health shall designate, and their compensation and expenses shall be paid from the 'County Health Fund' upon vouchers drawn by the county health officer."

You will note that the law provides that the Board of County Commissioners may employ additional employees, but this must be done with the approval of the Director of Public Health. I believe that the law contemplates also that the Director of Public Health shall designate the number of such additional employees.