

Opinion No. 33-652

September 20, 1933

BY: E. K. NEUMANN, Attorney General

TO: Hon. Juan N. Vigil, State Comptroller, Santa Fe, New Mexico.

{*77} It is the opinion of this office that whenever an officer or enlisted man of the National Guard is, by the Adjutant General or by the Governor, ordered to active duty as a member of the National Guard, be it for one day or a hundred, that officer or enlisted man is entitled to the pay allowed by the statutes of this state for his rank or grade, or less than that if fixed by proper order of the Adjutant General. The rate of pay is fixed by Chapter 93 of the New Mexico Statutes, Annotated, 1929 Compilation.

This applies to all officers and men regardless of what position they may hold under state appointments or other position.