

Opinion No. 39-3110

April 20, 1939

BY: FILO M. SEDILLO, Attorney General

TO: Mr. H. C. Gossard, President, New Mexico Normal University, Las Vegas, New Mexico.

{*39} This will acknowledge receipt of your letter dated April 19 wherein you make inquiry with reference to House Bill No. 114 passed by the Fourteenth State Legislature and which will be Chapter 220 of the Laws of 1939, which act requires the publication of expenditures made by various boards and commissions.

You inquire whether this act applies to the governing bodies of state colleges and universities.

I find nothing in the act that would indicate a legislative intent that the same apply to the boards of regents or other governing bodies of state colleges and universities. Nowhere in the act did the Legislature make any reference whatsoever to state colleges or universities or the governing bodies thereof. Had the Legislature intended the act to apply to all institutions of higher learning, it could very easily have been so stated in the act. In the absence of any such expression it must be presumed that the Legislature intended that the act apply only to those boards and commissions specifically mentioned therein.

It is therefore my opinion that it is not mandatory upon the governing bodies of state colleges and universities to comply {*40} with the provisions of Chapter 220, Laws of 1939.

Trusting that the foregoing sufficiently answers your inquiry, I am,

By: FRED J. FEDERICI,

Asst. Atty. Gen.