

Opinion No. 41-3808

June 3, 1941

BY: EDWARD P. CHASE, Attorney General

TO: Mr. Sam McCue, Secretary Cattle Sanitary Board 210 1/2 West Central
Albuquerque, New Mexico

{*69} Your recent inquiry, through Senator W. E. Clarke, requests an opinion by this office as to the effect of Chapters 90 and 150 of the Laws of 1941, both of which relate to the slaughtering of dairy breed cattle for Bang's and other contagious diseases.

Chapter 90, Laws of 1941, being Senate Bill 150, appropriates certain moneys to indemnify owners of dairy breed cattle for cattle slaughtered. The amount of the payment is to be "governed by the law in existence and in force at the time each and every dairy breed animal is slaughtered." This chapter carried the emergency clause and became effective on April 14, 1941.

Chapter 150, Laws of 1941, being Senate Bill 152, was approved by the Governor on April 16, 1941, and became the "law in existence and in force at the time" on that date, inasmuch as it was an emergency enactment. This chapter governs the new amounts which are to be paid dairy owners for cattle slaughtered.

In view of the foregoing, I am of the opinion that the owners of dairy breed cattle slaughtered for Bang's and other contagious diseases on or after April 16, 1941, are entitled to the compensation provided for in Chapter 150, Laws of 1941.

Trusting that the foregoing sufficiently answers your inquiry, I remain