

Opinion No. 42-4137

August 17, 1942

BY: EDWARD P. CHASE, Attorney General

TO: Mr. . H. Grissom Educational Budget Auditor Santa Fe, New Mexico

{*230} In your letter of August 14 you relate that a Municipal School Board of Education has requested {*231} an item in its Direct Charge Budget for "Supervisor of grounds for Boys' Club." In view of this fact, you request our opinion as to whether or not there is any provision in our law which authorizes a Board of Education to make an expenditure for services of this nature other than on property owned by the school district.

The purpose for which the Board proposes to spend the school's money in the instant case is indeed a laudable one, but I can find absolutely no authority for the expenditure of school money for such a purpose. To the contrary, I am of the opinion that such an expenditure would not be a "necessary school expense" within the contemplation of Chapter 121, Laws of 1941, and that the same should not be allowed.

Trusting that the foregoing sufficiently answers your inquiry, I am

By HOWARD F. HOUK,

First Asst. Atty. General