

Opinion No. 43-4417

December 1, 1943

BY: EDWARD P. CHASE, Attorney General

TO: Mr. J. D. Hannah, State Auditor, Santa Fe, New Mexico

In your letter dated December 1, 1943, you set forth the following facts. Chapter 12, Laws of 1943 pertaining to the disposition of Mineral Leasing Act Funds and by reference to Section 3, Chapter 76, Laws of 1941 appropriated \$ 7,500.00 from said funds annually for the administrative fund for free text books.

Chapter 12, Laws of 1943 was approved April 2, 1943. Chapter 127, Laws of 1943, being the general appropriation act, was approved April 16, 1943. Under this act there is appropriated from said funds for the administrative fund for free text books the sum of \$ 9,500.00 annually for the next biennium. You inquire which sum should be set up in the administrative fund for free text books.

Since Chapter 127, Laws of 1943 is the later legislative declaration and covers the same subject matter relative to the appropriation for free text books administration, I am of the opinion that this later act would govern and the sum of \$ 9,500.00 should be set up for administration of the free text book act, at least for this biennium.

By C. C. McCULLOH,

First Asst. Atty. General