

Opinion No. 44-4509

May 15, 1944

BY: EDWARD P. CHASE, Attorney General

TO: Judge Garrett, County Extension Agent, Hot Springs, New Mexico

We have your letter of April 25, 1944, wherein you request an opinion as to whether it would be permissible for the Range Improvement Committee to construct a dipping vat for the control of cattle lice, which would benefit a number of ranchers, from funds administered by the County Commissioners of the Range Improvement Committee, derived from the provisions of a certain Act of Congress, and Section 7-305 of the N.M. 1941 Compilation.

Section 7-306 of the N.M. 1941 Compilation provides:

"All money so received by any county shall be placed in a special fund known and designated 'The Farm and Range Improvement Fund' and shall be expended by the county as **herein prescribed** for the benefit of the county in the conservation of soil and water, the control of rodents and predatory animals, and the extermination of poisonous and obnoxious weeds, and for the construction and maintenance of secondary roads. *

* *"

It is noted that although the construction of a dipping vat would be of benefit to the live stock, it would not be an expenditure of money for any of the above enumerated purposes, and, since these purposes are enumerated with such particularity, it is our opinion that it would be improper for the Range Improvement Committee to construct a dipping vat from the above mentioned funds.

By HARRY L. BIGBEE,

Asst. Atty. General