

Opinion No. 46-4922

July 3, 1946

BY: C. C. McCULLOH, Attorney General

TO: Mr. R. H. Grissom Educational Budget Auditor Office of State Comptroller Santa Fe, New Mexico

{*246} In your letter dated July 2, 1946, you inquire whether bonds may be voted for repairs to school buildings.

Article 9, Section 11 of the New Mexico Constitution provides that no school district shall borrow money except for the purpose of erecting and furnishing school buildings, or purchasing school grounds. The Legislature has specifically authorized the issuance of school bonds for the purpose of erecting school buildings and purchasing school grounds and, under the Constitution, could also authorize the issuance of bonds for furnishing school buildings. However, the Legislature has not authorized the issuance of school bonds for repairs to buildings, and could not authorize such bonds without violating the above mentioned constitutional provision.