



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Hon. Lon A. Smith, Chairman
Railroad Commission of Texas
Austin, Texas

Dear Sir:

Opinion No. 0-1294 A
Re: Traveling expenses for the Main Office Division of the Railroad Commission of Texas, under Senate Bill 427, Acts of the 46th Legislature, Regular Session.

By your letter of recent date, you ask the opinion of this department upon the question whether, since there is no specific item provided for traveling expenses of the Main Office Division of the Railroad Commission, the item provided for that division of the Railroad Commission for "contingent expense," under the heading of "Maintenance and Miscellaneous," may be used to pay the traveling expenses of the Main Office Division.

The answer to this question is ruled by the opinion of this department recently addressed to the Honorable George. H. Sheppard, Comptroller of Public Accounts, being our Conference Opinion No. 3089. A copy of such opinion is enclosed herewith.

Your situation with respect to traveling expenses of the Main Office Division of the Railroad Commission is identical to that with which the second headnote of the opinion referred to deals. Since the Main Office Division of the Railroad Commission is not provided specifically with an item for traveling expenses, but is provided with an item of appropriation for "contingent expenses," the item for contingent expenses may be used by the Main Office Division of the Railroad Commission to defray the traveling expenses of that division.

Yours very truly

APPROVED OCT. 5, 1939

ATTORNEY GENERAL OF TEXAS

/s/ W. F. Moore

By

FIRST ASSISTANT
ATTORNEY GENERAL

/s/ R. W. Fairchild
Assistant

RWF:pbp