



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. MANN
ATTORNEY GENERAL

Honorable Clifford B. Jones, President
Texas Technological College
Lubbock, Texas

Dear Sir:

Opinion No. C-1973

Re: Are the expenses in attending
the meeting described payable
out of available funds of the
Division of Extension of Texas
Technological Colleges?

We have carefully considered your letter of recent date, the pertinent portions of which read as follows:

"The following request is received from the Director of our Division of Extension:

"This is to request leave of absence from the College campus for April 25 to 27 inclusive, to attend the meetings of the Association of Texas Colleges and the Conference of Extension Directors as part of the Association at Austin.

"I have been requested to help formulate the program of the Conference, which is to be extended roundtable discussion of problems of extension work in Texas. Also, I have been appointed chairman of the roundtable.

"The meetings of the Association and the purpose of the Extension Conference are to establish and safeguard standards of college work and agree on methods and

policies of procedure. I have attended these meetings regularly since the organization of the extension service of Texas Technological College, with profit to this service and the best interest of the College in standardizing the service. New problems are constantly arising and conferences of the extension directors are necessary to solve them. Then, too, the work of the extension divisions of the respective colleges must be kept in proper relation with the resident work of the colleges. The problems of the latter are the chief concern of the Association as a whole. The extension directors need to know about these problems also.

"It will be appreciated if you will kindly advise whether the reasonable and proper expenses involved in such trip are authorized for payment out of available funds of said Division of Extension of this College."

Your inquiry is directed to the question of whether the payment of the expenses described is prohibited by House Bill 255 of the Forty-sixth Legislature, the appropriation bill for the state educational institutions of higher learning.

As the meeting to be attended by the Director of Extension of the College will be the annual convention of the Association of Texas Colleges, probably you are concerned about the prohibition against the payment of the expenses of employees of state departments to conventions which appears in Senate Bill 427 of the 46th Legislature, the general appropriation bill for state departments.

House Bill 255, however, does not contain any provision prohibiting the payment of expenses incurred by employees of the state educational institution of higher learning, irrespective of other considerations, if such expenses arise incident to attendance upon a convention. Of course, any expenses of such employees, to be payable, must otherwise be allowable under the

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various provisions of House Bill 255, with the limitations therein set out.

From your statement of facts, it appears that the proposed trip by the Director of Extension of Texas Technological College is one that will result in a definite benefit to one phase of the work of the institution; that it is made annually by the Director of Extension, with profit to the college; that it will be devoted to matters peculiarly effecting the work of the Department of Extension; and presumably, of course, will be made with the approval of those in authority as being an expense necessarily incident to the functions of the college.

Accordingly, you are respectfully advised that it is the opinion of this department that the reasonable and proper expenses involved in the proposed trip of the Director of Extension of the College to the meeting of the Association of Texas Colleges, April 25th - 27th, inclusive, 1940, within the limitations set out in House Bill 255, may be paid out of available funds of the division of Extension of Texas Technological College.

May we point out that our opinion No. 0-1195 to you merely discussed, as you requested, among other matters, the construction of the term "convention" as it appears in Senate Bill 427 of the Forty-sixth Legislature, the appropriation bill for the state departments. This discussion did not, of course, relate in any respect, to House Bill 255, which, as we have pointed out, does not contain the convention prohibition appearing in Senate Bill 427.

Trusting that we have satisfactorily answered your inquiry, we remain

Yours very truly

ATTORNEY GENERAL OF TEXAS

By /s/
Zollie C. Steakley
Assistant

ZCS:ob
APPROVED APRIL 5, 1940
Gerald C. Mann
ATTORNEY GENERAL OF TEXAS

This opinion considered and
approved in Limited Conference.