



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Honorable F. R. Wright  
Superintendent  
Texas School for the Deaf  
Austin, Texas

Dear Sir:

Opinion No. O-4082

Re: Supplementing salaries of employees of eleemosynary institutions, under the provisions of Senate Bill No. 402, Acts, Regular Session, 47th Legislature.

The general rider appended to Senate Bill 402, Acts, Regular Session, 47th Legislature, contains a provision reading as follows:

"(c) In these appropriations the Legislature has provided a fairly uniform scale of salaries for similar services throughout the institutions without, however, differentiating in the amounts to be paid employees receiving, and those not receiving room, board and laundry from the State; and to prevent inequalities in salaries to those employees not receiving any or all of such perquisites it is provided that the Superintendent, upon the written approval of the Board of Control may adjust such employee's salaries out of the respective support and maintenance appropriations by not exceeding Twelve (\$12.00) Dollars per month each. More easily to adjust such items proper transfers from support and maintenance to salary appropriations may be made annually or more often."

Your letter of the 2nd instant inquires whether, under this law, you may, with the written approval of the State Board of Control, supplement the salaries of employees who do not receive room, board and laundry, but receive one or two meals on the campus. In other words, your question

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is whether an employee who receives some, but not all, of the perquisites of room, board and laundry, may have his salary supplemented under the provisions of this rider, with the written approval of the State Board of Control, or whether, on the contrary, only those employees may have their salaries supplemented who receive none of these perquisites.

The perquisites referred to are room, board and laundry. The employees who may, with the approval of the Board of Control, receive a salary adjustment within the limitations provided by this act, are those employees who do not receive any or all of such perquisites. It seems clear to us that the Legislature intended to permit the salaries of those employees who received none, or less than all, of the perquisites mentioned, to be adjusted in accordance with the provisions of the rider. To hold otherwise would be to attach undue significance to the use of the word "any", and to ignore entirely the use of the word "all" in that portion of the rider reading: "and to prevent inequalities in salaries to those employees not receiving any or all of such perquisites. . . ."

We trust that the foregoing adequately answers your question.

Yours very truly

ATTORNEY GENERAL OF TEXAS

APPROVED OCT 15, 1941

*George L. Allen*  
FIRST ASSISTANT  
ATTORNEY GENERAL

By

*R. W. Fairchild*  
R. W. Fairchild  
Assistant

RWF:mp

