



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GERALD C. HANN
ATTORNEY GENERAL

Honorable Richard F. Stovall
District Attorney
Floydada, Texas

Dear Sir:

Opinion No. 0-5318
Re: Whether the District
Attorney may serve as
a member of price panel
of County Rationing Board.

We have carefully considered your letter of
May 18, 1943, in which you submit the following question:

" I have recently been asked to serve as
a member of the price panel of the Floyd County
Rationing Board it is necessary, of course, as
a member of this price panel to take an oath.
As you know, it is not an office of emolument.
* * *

"Please advise whether or not in your
opinion I may serve as District Attorney of
the 110th. Judicial District and as a member of
the price panel of the Rationing Board."

We do not have sufficient information as to
the duties and responsibilities of a member of the
price panel of the Ration Board to answer your inquiry.
A great many of these boards and war commissions are
set up by the President for the duration of the war as
an aid and assistance to the civilian population as
well as the armed forces, and the members act purely
in advisory capacities. In many instances they are
positions of honor, trust and emoluments and the duties
and responsibilities required are such that our Con-
stitution prevents State Officers from accepting same.

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Unquestionably the law should be liberally construed and thereby permit those who hold official positions to render such aid and assistance to the government as is consistent with and which do not violate the Constitution and laws of the land.

We feel confident after you have ascertained the duties and responsibilities that will be required of you as a member of the "price panel of the County Rationing Board" you can determine for yourself whether same does in any way conflict with the Constitution.

Until and unless we have more definite information relative to such position and work to be performed thereunder we could not give any definite reply.

Yours very truly,

ATTORNEY GENERAL OF TEXAS

Geo. W. Barcus

By

Geo. W. Barcus
Assistant

GWB:ncd

APPROVED JUL 19 1943

Wm. J. Jennings

ACTING

ATTORNEY GENERAL OF TEXAS

