



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GROVER SELLERS
ATTORNEY GENERAL

Honorable Bayne Satterfield
Firemen's Pension Commissioner
Post Office Box 1062
Austin, Texas

Dear Sir:

Opinion No. 0-6399
Re: Item of current approp-
riation for Firemen's
Pension Commissioner from
which office and other
help should be paid.

Your letter of January 21, 1945, addressed to this Department requests that we advise as to what appropriation your "office help such as half-time secretary and other necessary help" should be charged against.

The appropriation for the current biennium for the Firemen's Pension Commissioner insofar as pertinent is as follows:

"SALARIES AND MAINTENANCE.

"1. Commissioner	\$3,600	\$3,600
"2. Office expense, postage, stationery, office fix- tures and supplies . . .	1,500	1,500
"3. Traveling expenses, con- tingent expenses, and other necessary help and expenses to be incurred in administration of Firemen's Relief and Retirement Law. .	500	500."

Hon. Bayne Satterfield, Page 2

Your letter indicates that some question has arisen as to whether the salaries of a secretary and a bookkeeper should be charged to "office expense" appearing in Item 2, supra, or to "other necessary help" in Item 3.

We are of the opinion that the term "office expense" as used in said appropriation includes secretarial and bookkeeping help employed in your office. The fact that the Legislature intended that office employees should be included in such term is indicated by the reference in Item 3 to "other necessary help". We think the use of the word "other" clearly demonstrates that the Legislature believed some "help" had already been provided for in a preceding part of the appropriation. (Emphasis added)

We think that the term "other necessary help" as used in the appropriation applies to help employed in duties chiefly performed away from your office. Your letter refers to the holding of hearings away from Austin and the employment of a court reporter to record the proceedings. We believe the Legislature had in mind "help" of this type in providing funds for "other necessary help", that is, help employed to perform duties primarily performed away from your office.

Yours very truly

ATTORNEY GENERAL OF TEXAS

BY

J. Arthur Sandlin
J. Arthur Sandlin
Assistant

APPROVED MAR 15 1945

Carl H. [Signature]

FIRST ASSISTANT
ATTORNEY GENERAL

JAS:fb

