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as used in the appropriation bill, is a 'meeting of members or delegates of a private organization, party, club, society, or the like.' See our Opinion No. 0-1737. The character of the organization as 'private' or 'official' depends, not alone upon its purpose, but also upon its membership. The Constitution and By-laws of the Association reveal that the association is a 'private organization.'

In Opinion No. 0-1737, addressed to State Department of Education, we differentiated as follows:

"Obviously it could not have been intended by the Legislature that the restriction against paying traveling expenses to conventions should apply to authorized meetings called by agencies of government for the purpose of accomplishing the functions of government imposed upon them. To apply such a construction would be to impute to the Legislature the intent to paralyze by indirection the administration of the very affairs of government for which appropriations were made at length in Senate Bill 427 of the 46th Legislature. We are impelled, therefore, to the conclusion that the Legislature used the word 'convention' in its especial or popular, rather than its broad, significance, conveying the idea, generally, of a meeting of members or delegates of a private organization, party, club, society, or the like, for the accomplishment of some common object."

Texas Safety Association, Inc., is a private incorporation organized and maintained by persons interested in the general subject of safety through regulation, and is in nowise a State agency or instrumentality, although its activities as a private organization is in the general interest of the public welfare.

In Opinion No. 0-2457 we advised you, as Comptroller of Public Accounts, with respect to the specific construction of the language, "which written opinion (of the Attorney General) shall have been filed in advance with the State Comptroller", as follows:

"In respect to the question submitted, the above language quoted from S. B. 427 is plain and unambiguous. We note your statement that the argument is made to you that the word 'advance', as used in the rider,

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means in advance of payment and not in advance of making the trip. However, the language of the Act is too clearly otherwise. It simply admits of no other construction than that out of State expenses must not be incurred until the written statement of the Attorney General has been obtained and filed with the Comptroller advising that the purpose of the proposed trip is for State business purposes."

We reaffirm that holding.

We trust that what we have said satisfactorily answers your inquiry.

Very truly yours

ATTORNEY GENERAL OF TEXAS

By

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JUL 25 1938
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