



**THE ATTORNEY GENERAL  
OF TEXAS**

**WAGGONER CARR  
ATTORNEY GENERAL**

**AUSTIN 11, TEXAS**

November 21, 1963

Honorable J. W. Beretta  
Chairman, Texas State Board of  
Registration for Professional  
Engineers  
Reagan State Office Building  
Austin, Texas

Opinion No. C-180

Re: Whether travel to Hawaii  
constitutes travel outside  
of the continental United  
States within the meaning  
of Article 6823a, Vernon's  
Civil Statutes.

Dear Mr. Beretta:

You have requested the opinion of this office as to whether travel to Hawaii, the 50th State of the Union, is travel outside the continental United States, within the meaning of Article 6823a, Vernon's Civil Statutes.

In August, 1963, the Member Secretary of the Texas State Board of Registration for Professional Engineers traveled to Honolulu, Hawaii, pursuant to the direction of the Board, in order to attend the meeting of the National Council of State Boards of Engineering Examiners. The Comptroller of Public Accounts has now refused to pay the expense account of the Member Secretary, on the ground that Hawaii is outside the continental limits of the United States, and the prior written permission of the Governor of Texas was not obtained.

The applicable statute is Article 6823a, Vernon's Civil Statutes, which reads in part as follows:

"Sec. 5. Any travel connected with official business of the state for which reimbursement for travel expenses incurred outside the continental limits of the United States is claimed must have the advance written approval of the Governor. Blanket authority by the Governor may be given the Department of Public Safety to law enforcement personnel entering Mexico to apprehend criminals."

It appears that the Comptroller's objection to the expense account is well taken. The word "continental" has a well-defined meaning which is in general usage. As found in Webster's New International Dictionary Unabridged, 2nd Edition, "continental" means "pertaining or relating to a continent; characteristic of a continent . . ."; "continent" means "a continuous extent or mass of land; mainland . . ." (emphasis supplied). The meaning of the term is clear, and cannot be extended to include an island chain more than two thousand miles away from the North American continent.

We certainly agree that as a political entity Hawaii is a part of the United States as a whole. However, the statute in question does not refer to just "the United States", but refers to travel expenses incurred outside "the continental limits of the United States." This language is susceptible of only one construction, notwithstanding the hardship that we know must result in this particular case.

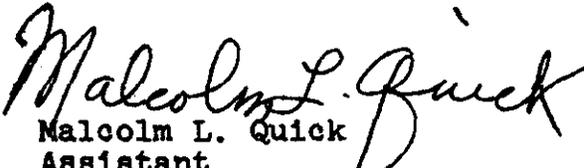
It is the opinion of this office that, under the terms of Article 6823a, Vernon's Civil Statutes, Hawaii is outside the continental limits of the United States, and a state employee may not be reimbursed for travel thereto without the prior written permission of the Governor of Texas.

SUMMARY

Under the terms of Article 6823a, Vernon's Civil Statutes, Hawaii is outside the continental limits of the United States and a state employee may not be reimbursed for travel thereto without the prior written permission of the Governor of Texas.

Yours very truly,

WAGGONER CARR  
Attorney General

By   
Malcolm L. Quick  
Assistant

MLQ:ms

Hon. J. W. Beretta, page 3 (C-180)

APPROVED:

OPINION COMMITTEE

George Gray, Chairman  
J. S. Bracewell  
Grady Chandler  
Jack Goodman  
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APPROVED FOR THE ATTORNEY GENERAL  
By: Stanton Stone