



**THE ATTORNEY GENERAL
OF TEXAS**

**CRAWFORD C. MARTIN
ATTORNEY GENERAL**

AUSTIN, TEXAS 78711

April 3, 1968

Hon. Thomas C. Green, P.E.
Member Secretary, Texas State
Board of Registration for
Professional Engineers
Austin, Texas 78701

Opinion No. M-216

Re: Authority of the Texas
State Board of Registra-
tion for Professional
Engineers to pay from
Line Item No. 7 of its
departmental appropria-
tion, Senate Bill 15,
Acts 60th Legislature,
1967, Regular Session,
Ch. 784, p. 2175, trav-
eling expenses and the
purchasing of furniture
and necessary office
equipment and supplies
for its investigator.

Dear Colonel Green:

You have requested the opinion of this office concerning the authority of the Texas State Board of Registration for Professional Engineers, hereinafter called "Board" to pay from Line Item No. 7 of the departmental appropriation to the Board, Senate Bill 15, Acts 60th Legislature, 1967, Regular Session, Chapter 784, page 2175, the General Appropriations Bill, the traveling expenses of its investigator as well as the purchase price of furniture and necessary office equipment and supplies for its investigator.

Line Item No. 7 of the department appropriation to the Board provides:

"7. Investigation Program: Expenses of witness fees, court transcripts, documentary evidence, processing complaints, court costs, and other necessary expenses in gathering evidence for the enforcement of S.B. No. 74, 59th Legislature (Vernon's Annotated Civil Statutes, Article 3271a) \$19,240." (Emphasis added.)

Hon. Thomas C. Green, page 2 (M-216)

In Attorney General's Opinion No. M-179 (1968), this office held that:

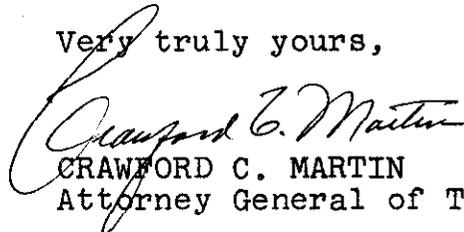
"The Texas State Board of Registration for Professional Engineers has authority to employ an investigator to assist the Board in the enforcement of Article 3271a, Vernon's Civil Statutes, and such investigator may be compensated from the departmental appropriation to the Texas State Board of Registration for Professional Engineers in Line Item No. 7 of Senate Bill 15, Acts 60th Legislature, 1967, Regular Session, Chapter 784, page 2175."

The authority to employ an investigator by the Board and compensate him from the funds appropriated by Line Item 7 of the departmental appropriation to the Board as being a necessary expense in gathering evidence for the enforcement of Article 3271a, Vernon's Civil Statutes, the Engineering Practice Act, carries with it the further authority to make such expenditures as are necessary to enable such investigator to carry out his duties of gathering evidence for the enforcement of Article 3271a. Certainly, the payment of the investigator's traveling expenses, while performing his official duties, would be a necessary expense in the gathering of evidence to enforce Article 3271a; and if the Board is of the opinion that such investigator needs certain office equipment and supplies to enable him to efficiently carry out his investigative functions, then such expenditure could properly be paid from the funds appropriated to the Board in Line Item No. 7.

S U M M A R Y

The Texas State Board of Registration for Professional Engineers may properly pay from Line Item No. 7 of Senate Bill 15, Acts 60th Legislature, 1967, Regular Session, Chapter 784, page 2175, the traveling expenses of its investigator and the cost of furniture and office equipment and supplies for its investigator.

Very truly yours,


CRAWFORD C. MARTIN
Attorney General of Texas

Prepared by Pat Bailey
Assistant Attorney General

Hon. Thomas C. Green, page 3 (M-216)

APPROVED:
OPINION COMMITTEE

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