

NOVEMBER 10, 1952.

HON. J. LINDSAY DEVALLIERE,
Division of Budget and Accounting,
 State House, Trenton, N. J.

FORMAL OPINION—1952. No. 39.

DEAR MR. DEVALLIERE:

I have your memorandum directed to the Attorney General under date of October 14, 1952 in which you ask the following question:

"Is it your opinion that any portion of the \$339,420 allocated by the State Legislature in the 1952-53 budget for new positions in the Division of Motor Vehicles may be used for purposes other than the employment of new employees?"

The answer to this question is, "No."

This appropriation is a line item and is self-explanatory. It is made for the single and specific purpose of adding new employees in the Division regardless of where they may be assigned for work.

Yours very truly,

THEODORE D. PARSONS,
Attorney General.

By: JOHN J. KITCHEN,
Deputy Attorney General.

jjk:n

DECEMBER 1, 1952.

DR. LESTER H. CLEE, *President,*
Civil Service Commission,
 State House, Trenton, N. J.

FORMAL OPINION—1952. No. 40.

DEAR DR. CLEE:

You have requested an opinion as to whether or not you have authority to approve appointments in the unclassified service of persons appointed by the heads of each institution coming under the jurisdiction of the Department of Institutions and Agencies, and similar appointments made in the other 13 major departments by persons other than the 13 principal department heads.

As we understand it, the Chairman of the State Parole Board takes the position that he is entitled to one clerk or secretary and one confidential employee or agent in the unclassified service, pursuant to the provisions of R. S. 11:4-4(m).

The discussion of R. S. 11:4-4(m) is restricted to the question of its applicability to the State Parole Board and its right to appoint one clerk or secretary