

STATE OF KANSAS

Office of the Attorney General

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Curt T. Schneider
Attorney General

May 5, 1976

ATTORNEY GENERAL OPINION NO. 76- 146

Mr. Ruben G. Corona
Executive Director
Mexican American Affairs
Advisory Committee
535 Kansas Avenue - 5th Floor
Topeka, Kansas 66603

Re: Advisory Committee on Mexican American Affairs--Powers
and Duties

Synopsis: The Advisory Committee on Mexican American Affairs may lawfully engage in joint sponsorship of conferences dealing with programs and problems concerning Mexican Americans, and may make expenditures for publications offered as a part of its program of public education and dissemination of information concerning the problems of Mexican Americans.

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Dear Mr. Corona:

You inquire, first, whether the Advisory Committee on Mexican American Affairs may co-sponsor a conference, in conjunction with Marymount College, a private college in Salina, Kansas, dealing with the subject "Mexican Americans: Strangers in a Bicentennial Land?". You advise that the college will provide the facilities, and that the Advisory Committee will have no financial responsibility in connection with the Conference.

K.S.A. 1975 Supp. 74-6504 enumerates the powers of the Committee in pertinent part thus:

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"The advisory committee shall have the following functions, powers and duties in advising the commission on civil rights:

(a) Gather and disseminate information and conduct hearings, conferences and special studies on problems and programs concerning Mexican Americans;

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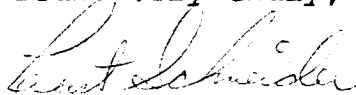
(c) Develop, coordinate and assist other public and private organizations with understanding the problems of Mexican Americans"

These provisions clearly authorize the Committee to join in the sponsorship of a conference dealing with the subject indicated by the title described above.

Secondly, you ask whether the Advisory Committee may purchase advertising space in the conference program, and in other similar publications. Clearly, the Committee is empowered to disseminate information and to conduct hearings, conferences and other activities concerning Mexican American programs and problems. Obviously, public information may play an important role in the operation of the Committee in meeting its responsibilities, and expenditures incurred in the preparation and distribution of publications germane to the program and mission of the Committee are clearly lawful expenditures. The Committee is empowered to conduct a program of public information, which necessarily entails publications and expenses incurred therefor.

Expenditures for a particular publication may or may not constitute a permissible expenditure, depending upon the content of the publication. The term "advertisement" does not necessarily indicate that it constitutes a legitimate part of the public education and information mission of the Committee, as authorized by statute. Ordinarily, this must be determined as a matter of administrative and policy judgment entrusted to the Committee.

Yours very truly,



CURT T. SCHNEIDER
Attorney General

CTS:JRM:kj