

**OPINION
64-151**

January 28, 1964 (OPINION)

HIGHWAY DEPARTMENT

RE: Purchase of Equipment

This will acknowledge receipt of your request for an official opinion as to your authority to replace the Cessna 180 airplane, now owned by the Highway Department and used in mapping, aerial photography and other activities of the Highway Department.

Section 24-03-12 of the North Dakota Century Code authorizes the department of accounts and purchases, or you, as Highway Commissioner, if the authority is delegated to you by the Department of Accounts and Purchases, to purchase, among other things, equipment necessary for constructing, maintaining, controlling and administering the state highway system.

It is the opinion of this office that this statute authorizes you to acquire a replacement for the plane, if you have found that such is necessary for use in constructing, maintaining, controlling and administering the state highway system.

HELGI JOHANNESON

Attorney General