

Opinion No. 51-5434

September 27, 1951

BY: JOE L. MARTINEZ, Attorney General

TO: Mr. Biterbo Quintana Capitol Custodian Capital Building Santa Fe, New Mexico

{*139} This is in reply to your request of August 16th in which you ask to be advised as to how to proceed to comply with Chapter 58 of the Session Laws of 1951, which states:

"All buildings now or hereafter constructed or remodeled under the authority of Chapter 53 of the Session Laws of 1945, and all buildings, except the Supreme Court building, owned or occupied by the State of New Mexico or agencies or departments thereof within a radius of two blocks of the capitol grounds, shall be under the care, custody and control of the capitol custodian, to the same extent and in the same manner now provided by law."

You specifically asked that I advise you which buildings were affected by this enactment and what you must do to assume the custody and to begin the care and maintenance of the buildings.

You must assume the custody and begin the janitorial maintenance of these buildings by assigning the employees of your department to undertake the necessary work, as you presently have them assigned to the buildings under your control and custody prior to this enactment.

The buildings within the area prescribed as "within a radius of two blocks of the capitol grounds" are those listed as follows:

OCCUPYING AGENCY STREET ADDRESS

Insurance Department,

Corporation Comm.

138 So. Capitol Place

Contractor's License Board

122 So. Capitol Place

State Library Commission

301 Don Gaspar Avenue

State Bank Examiner)

State Park Commission)

East Alameda, House on

South side of river.

Department of Public Welfare Building

Department of Public Welfare,

408 Galisteo Street

State Health Department

(units thereof)

408 Galisteo Street

Income Tax Division,

Bureau of Revenue

408 Galisteo Street

Gasoline Tax Division,

Bureau of Revenue

408 Galisteo Street

Succession Tax Division,

Bureau of Revenue

408 Galisteo Street

Temporary Buildings known as "Mabry Park".

Economic Development

Commission

414 Galisteo Street

{*140} State Labor Commission

(same building)

410 Galisteo Street

Merit System Council

414 Galisteo Street

School Lunch Division,

Dep't of Education

414 Galisteo Street

Motor Transportation Division,

Bureau of Revenue

414 Galisteo Street

Division of Courtesy & Information,

Bureau of Revenue

414 Galisteo Street

Department of Game & Fish

412 Galisteo Street

New Mexico Magazine

(same building)

414 Galisteo Street

Governor's Veteran Approval

Committee (same)

414 Galisteo Street

Public Employees Retirement

Board (actually Cerrillos Road)

415 Galisteo Street

State Welfare Library Office

415 Galisteo Street

In addition to this list the present Capitol Building, Tax Commission Annex, the New State Office Building, the Governor's Mansion and the new West addition of the Capitol, would be included within the custody and control of your office, when not under the jurisdiction of the Capitol Building Commission during construction or remodeling, prior to acceptance by the State.

Notice to all of the occupying agencies in the various buildings coming under your control advising them of the assignment of employees of your office to care for the building, and of your assumption of custody, while not legally required, would no doubt be advisable.

I trust that this answers your inquiry fully.