

Opinion No. 53-5685

February 19, 1953

BY: RICHARD H. ROBINSON, Attorney General

TO: R. F. Apodaca Superintendent of Insurance Corporation Commission Santa Fe, New Mexico

{*78} This is in reply to your letter of February 13, 1953 in which you request an opinion from this office as to whether or not the town of Anthony, Texas, can legally participate in the annual distribution of State Fire Protection Funds, under Section 60-402, New Mexico Statutes Annotated, 1941 Compilation.

Section 60-402, N.M.S.A., 1941 Comp., p. s., includes the word 'state' and it is clear that the intention of the Legislature was to include only cities, towns and villages in the State of New Mexico. The word 'state' means the State of New Mexico.

I also refer you to Opinion No. 4529, dated June 15, 1944, written for your office in which we held that the word 'state' means the State of New Mexico.

It is therefore the opinion of this office that the town of Anthony, Texas, not being an incorporated town of the State of New Mexico, cannot participate in the annual distribution of State Fire Protection Funds, under Section 60-402, N.M.S.A., 1941 Comp., p. s.

By: Hilario Rubio

Assist. Attorney General