

**Opinion No. 19-2401**

October 16, 1919

**BY:** N. D. MEYER, Assistant Attorney General

**TO:** Mr. E. D. Armijo, Taos, New Mexico.

Publication Proceedings Boards of County Commissioners in Legal Newspaper.

**OPINION**

We have your letter of October 6th in regard to the publication of the proceedings of the board of County Commissioners, in your paper. We also received the numbers of the paper which you sent us for examination.

Section 1 of Chapter 43 of the Session laws of 1919 defines a legal newspaper qualified to publish any notice required by law to be published or ordered published by any state, county, municipality, district, educational or other public officer, or by any commission, board or other public body at public expense.

The section states that such a paper as defined therein is qualified to publish the notices enumerated in said section. It does not bar a paper not having the qualifications therein mentioned from publishing the said notices.

However, the following section of the same chapter specifies those notices, instruments and publications which must be made through a legal newspaper, while it is not stated that the publication of notices, instruments and publications specified in Section 2 should be made in a legal newspaper as defined in Chapter 43 of the laws of 1919, yet it is apparent that it was the intent of the legislature when they used the term "legal" newspaper that it meant such a paper as is defined in Chapter 43.

We do not find any provision requiring that the proceedings of the board of County Commissioners should be published in a legal newspaper as defined in Chapter 43, therefore, any paper of general circulation published within the county can be qualified to publish the proceedings of the board of County Commissioners of said county, so it is our opinion that the publication of the proceedings of the board of County Commissioners of Taos county in your paper, even though it has not been published for the period of time required by Chapter 43 in order to come within the definition of a legal newspaper as is therein set forth, is legal. I am returning to you under separate cover the copies of "El Boletin Popular," which you sent us.

With kind personal regards, I beg to remain,