

Opinion No. 32-461

May 18, 1932

BY: E. K. Neumann, Attorney General

TO: Mr. Juan N. Vigil, State Tax Commission, Santa Fe, New Mexico.

{*162} In answer to your letter of May the 11th, relative to the disposition of the proceeds from insurance policies on the court house at Taos, wish to advise as follows:

Under Sections 71-502 of the 1929 Compilation it is the duty of the Boards of County Commissioners to keep the public buildings of the county insured, as is expressed therein "for the benefit of the County."

It would be our opinion that these words should be construed so as to effect the intent of the legislature and it would seem this intent was that insurance proceeds should be applied so as to perpetuate as far as possible the original scheme.

In other words, in this case the insurance is for the protection of the court house and we believe the proceeds can only be used for replacement purposes.

By: Frank H. Patton,

Asst. Attorney General