

Opinion No. 39-3116

April 25, 1939

BY: FILO M. SEDILLO, Attorney General

TO: Mr. A. E. Huntsinger, Cashier, Citizens State Bank of Vaughn, Vaughn, New Mexico.

{*41} Your letter of April 22 requesting advice as to whether or not Propane Gas Revenue Bonds would be eligible as security for deposits of public funds has been received.

Chapter 112, Section 109 of the 1938 New Mexico Supplement states that:

"Deposits of public monies may be secured by bonds or treasury certificates of the United States, bonds of the federal farm mortgage corporation, bonds of the home owners loan corporation, bonds of the State of New Mexico, debentures issued by the state highway commission of the state of New Mexico . . . bonds of any county of this state, or any of the legal subdivisions thereof including drainage or irrigation district bonds."

Some of the above bonds are subject to further restrictions under this section but need not be quoted here.

It is, therefore, my opinion that Propane Gas Revenue Bonds issued by a municipality does not come within the requirements of the statutes for deposits secured by deposits of securities.

By: GEORGE LOUGEE,

Asst. Atty. Gen.