

Opinion No. 45-4655

February 10, 1945

BY: C. C. McCULLOH, Attorney General

TO: Honorable John E. Miles Commissioner of Public Lands State Land Office Santa Fe, New Mexico. Attention: George A. Graham

{*18} In your letter dated February 8, 1945, you refer to Section 8-125 of the 1941 Compilation, which provides for posting of rules and regulations in the Land Office for a period of 10 days before such rules and regulations become effective. You also refer to Section 8-1114 of the 1941 Compilation, relating to oil and gas leases, which requires posting of rules and regulations for a period of 15 days before the same become effective. You inquire which of these statutes should be followed by the Land Office.

Section 8-125 is a general statute covering all rules and regulations pertaining to the business of the Land Office, and the same should be followed in all cases except with respect to rules and regulations pertaining to oil and gas leases. As to such rules and regulations, Section 8-1114 would govern, and posting for 15 days is required.