

**Opinion No. 55-6224**

July 11, 1955

**BY:** RICHARD H. ROBINSON, Attorney General

**TO:** Mr. Vincent M. Vesely, Assistant District Attorney, Sixth Judicial District, Silver City, New Mexico

In your letter of June 17, 1955, you ask whether in the distribution of Forest Reserve Funds school districts which do not have any forest land within them are entitled to share in the distribution. This matter is covered by Section 11-3-3 of the 1953 Compilation, the pertinent portion of which provides as follows:

". . . apportionment of such moneys shall be based upon the average daily attendance in the several school districts in such county or counties affected. . . ."

It is our opinion that the method of distribution provided is exclusive and must be followed, and that school districts of the county must share in the distribution according to that method whether or not forest land is located within their boundaries.

By: Walter R. Kegel

Assistant Attorney General