

**Opinion No. 33-616**

July 3, 1933

**BY:** E. K. NEUMANN, Attorney General

**TO:** Hon. Alfonso Aguilar, Supt. of Insurance, State Corporation Commission, Santa Fe, New Mexico.

{\*62} This will acknowledge receipt of your letter of June 30, 1933, asking for an interpretation of Section 71-128 of the 1929 Compilation.

This section provides that the moneys in the "Fire Protection Fund" shall be distributed to each incorporated city, town and village which has, for at least one year prior to such distribution, maintained an official fire department, possessing fire apparatus and equipment in serviceable condition of at least the value of \$ 1,000.00. It is my opinion that the moneys in this fund must be distributed accordingly.

There is a limitation expressed in the section upon the manner of expending these moneys **after** they have been distributed, but this does not apply to distribution of the money. As Superintendent of Insurance, you are not concerned with the expenditure of the moneys but only with the distribution thereof.

By: QUINCY D. ADAMS,

Asst. Attorney General