

Opinion No. 35-1163

September 7, 1935

BY: FRANK H. PATTON, Attorney General

TO: Mr. Don R. Casados, Chairman, State Corporation Commission, Santa Fe, New Mexico.

{*81} I have your letter of September 5th, together with enclosures in connection with the request of the Corporation Commission that the Lincoln Stage Lines, Inc., obtain a certificate of authority to do business in this state.

I understand that Lincoln Stages is a Nevada corporation, and that it is engaged only in interstate commerce within the state of New Mexico.

It is my opinion that to require a corporation of this nature to domesticate in this state would be to impose an undue burden on interstate commerce, and therefore would be violative of the commerce clause of the Federal Constitution.

I return herewith your file in this matter.