

Opinion No. 45-4687

April 13, 1945

BY: C. C. McCULLOH, Attorney General

TO: Mr. Marshall S. Hester Superintendent New Mexico School for the Deaf Santa Fe, New Mexico

{*45} We are in receipt of your letter of March 27, 1945 in which you ask whether it is necessary for the board of regents of the School for the Deaf to carry insurance for 75% of the value of the buildings of such school.

Your attention is called to Section 6-201 of the New Mexico 1941 Compilation which provides in part as follows:

"All officers and boards charged with the custody and control of public buildings belonging to the state shall keep the same insured for the benefit of the state against loss or damage by fire at least to the amount of three-fourths of the estimated value of the buildings at the time the insurance is applied for."

Section 6-202 makes it a criminal offense for any officer or member of any board to fail to carry out the above quoted provision.

In view of the foregoing, it is my opinion that you have no discretion but to insure the buildings of the Deaf School to at least three-fourths of their estimated value.

By ROBERT W. WARD,

Asst. Atty. General