6-11-5
Taylor Grazing Act Funds
Distribution

6-11-5. [Taylor Grazing Act funds; distribution.]
That all funds received by the state of New Mexico as its distributive share of the amount collected by the United States government under the provisions of the Act of Congress of June 28, 1934 (48 Stat. 1269) Public [Law] No. 482, 73rd Congress, known as the Taylor Grazing Act and any act amendatory thereof, shall be deposited with the state treasurer. Upon receipt of said money, including any such money as may now be on hand, the state treasurer shall ascertain from the records of the proper United States officers having the records of the grazing districts or lands from which such moneys are derived the area of each such grazing district or lands, and the area of each thereof in each county in which the same is located or into which it extends, and the amount of money so derived from each such grazing district or lands, and thereupon shall distribute to each of the counties of the state from such moneys a sum equal to that proportion of the money derived from each grazing district or lands which the area of such district or lands within the county bears to the total area of such district or lands. If any grazing district shall lie partly in this state and partly in another, for the purpose of the computation and apportionment herein prescribed, the area thereof within this state shall be considered as one district.

History: Laws 1939, ch. 125, § 1; 1941 Comp., § 7-305; 1953 Comp., § 11-3-5.

Cross references.—For the Taylor Grazing Act, see 43 U.S.C. § 315 et seq.

ANNOTATIONS

Injunction against expenditure of funds.—A resident taxpayer of a county, on behalf of himself and others similarly situated, is entitled to an injunction against a board of county commissioners to prevent payment of moneys of the county under a contract in violation of a statute governing purchases involving expenditures in excess of $500, and requiring that such purchases be made from the lowest responsible bidder after advertisement for bids, though the moneys about to be expended were not realized under any process of taxation or through any collection from the taxpayers of the state or of the county, but came into the hands of the board by means of and through process set up by the Taylor Grazing Act, and under this section and Section 6-10-9 NMSA 1978. Shipley v. Smith, 45 N.M. 23, 107 P.2d 1050, 131 A.L.R. 1225 (1940).

Section complies with intent of congress.—This section complies with the intent of congress expressed in the Taylor Grazing Act, since conservation of soil and water, control of rodents and predatory animals, extermination of poisonous and noxious weeds and construction and maintenance of secondary roads within the county are a direct benefit to the county situated within the exterior boundaries of a grazing district. 1939-40 Op. Att’y Gen. No. 39-3135.


Constitutionality and construction of state farm aid laws, 92 A.L.R. 768.

3 C.J.S. Agriculture § 25 et seq.