

February 9, 1938

Mr. Huling E. Ussery
Acting Regional Grazier
Department of the Interior
Division of Grazing
804 Security Building
Phoenix, Arizona

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ARIZONA ATTORNEY GENERAL

Dear Sir:

I have your letter of recent date in which you desire an opinion from this office upon the following matter:

"Whether or not the State law, that is Chapter 11, Session Laws 1937, relating to moneys received from fees of grazing districts for leasing of public lands, authorizes the local advisory boards to transfer funds at their disposal to the Secretary as a contribution under Section 9 of the Taylor Act, or whether the advisory boards must disburse the funds for projects directly undertaken or controlled by them."

Under the provisions of Chapter 11, Section 4, supra, it is provided as follows:

"Said moneys from grazing fees of grazing districts shall be expended as the board of district advisors may direct, within said county, for range improvements and the maintenance thereof, predatory animal control, rodent control, poisonous or obnoxious weed extermination, or for the purchase or rental of facilities of lands within such county which will benefit such grazing district or the part thereof within said county."

It is the opinion of this office that under the above quoted section, the local advisory boards must disburse such funds for projects directly undertaken or controlled by them, and that this section does not authorize a transfer of these funds to the Secretary of the Interior as a contribution under the provisions of Section 9 of the Taylor Act.

In answer to your second inquiry, that is, whether or not local advisory boards may expend such funds for the employment of administrative personnel and for necessary employment on projects. It is the opinion of this

office that under the provisions of Section 4, supra, that local advisory boards may expend such funds for the employment of administrative personnel and also for necessary employment on projects undertaken in accordance with said action.

I am returning herewith a copy of the Taylor Grazing Act and also a copy of an opinion issued by the Department on the Interior which were enclosed in your letter.

Trusting that the above fully answers your inquiry,
I am

Very truly yours,

JOE CONWAY
Attorney General

J. M. JOHNSON
Assistant Attorney General

EARL ANDERSON
Special Assistant
Attorney General