

February 27, 1941

Mr. William Alberts,
State Land Commissioner,
State Land Department,
Phoenix, Arizona.

Dear Mr. Alberts:

In answer to your request for our opinion as to whether moneys obtained from the sale of pelts of predatory animals should be deposited with the State Treasurer or with the County Treasurer, please be advised that Section 11-311, A.C.A. 1939 provides that moneys received from grazing fees shall be expended for, among other things, predatory animal control.

Section 11-310, A.C.A. 1939 provides that all moneys received from grazing fees of a grazing district legally established shall be placed to the credit of a special fund of the particular grazing district in which the lands are situated. Under this section the County Treasurer is made ex-officio treasurer for the grazing district of any Federal grazing district located in whole or in part within such county. Said treasurer shall collect, receive, receipt and account for all moneys from such grazing district.

In your letter you state that at the present time a number of coyote and bobcat pelts received from a predatory animal hunter within grazing district No. 4 are being held for disposition. The predatory animal hunter was hired from Cochise County Fifty Percent Funds. There is no specific provision in law as to what shall be done with the fees obtained from the sale of pelts of predatory animals. We are of the opinion however that inasmuch as the grazing district pays for the control of such predatory animals, if the pelts are sold the proceeds should be deposited with the district treasurer.

Very truly yours,

JOE CONWAY,
Attorney General.

ALBERT M. GARCIA,
Assistant Attorney General.

EARL ANDERSON,
Special Assistant
Attorney General.

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