

August 1, 1945

Mrs. Ann Mossman
Secretary, Livestock Sanitary Board
Phoenix, Arizona

Veterinary
LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Dear Mrs. Mossman:

We are in receipt of your request of recent date in reference to the payment of veterinarian's inspection fees employed by your Department to inspect horsemeat killed for human consumption under the provisions of Chapter 8, Laws of 1943.

Section 10 of said Chapter 8 specifically appropriates to your Department, all fees collected under the Horsemeat Inspection Law to be used in the enforcement of the Act. This Section is as follows:

"APPROPRIATIONS. All fees collected under the provisions of this Act shall be paid to the state treasurer, and placed in a fund to be known as the 'horsemeat enforcement fund'. The proceeds of such fund are appropriated to the live stock sanitary board for the payment of salaries and expenses of employees required to carry out the purposes of this Act. The board shall have the right to appoint as inspectors a veterinarian or veterinarians licensed to practice in Arizona, and shall fix the compensation of such inspectors. Any money remaining in the fund at the close of any fiscal year exceeding one thousand dollars shall revert to the general fund."

It is our opinion said Section 10 is a continuing appropriation to your Department of all fees collected to be used to carry out the purposes set forth in said Chapter 8 and that you may legally expend all funds collected by your Department under said Act for the payment of salaries and expenses of inspectors and employees which may be necessary to properly enforce the provisions of said Chapter 8.

If the fees collected by your Department under said Chapter 8 are sufficient to pay the expenses of more than one veterinarian inspector you may pay the salaries of such inspectors and other employees necessarily employed by your Department in the enforcement of said Chapter 8 out of the fees collected under said Act.

The views we express herein are in harmony with the decisions of our Supreme Court in the case of Hudson vs. Brooks, State Treasurer, 158 Pac. 2d, 661, dated May 10, 1945.

Yours very truly,

JOHN L. SULLIVAN
Attorney General

EARL ANDERSON
Assistant Attorney General

EA:jw