

Read

September 30, 1947

Mr. Harry Whitmer,
Arizona State Hospital,
Phoenix, Arizona

LAW LIBRARY

ARIZONA ATTORNEY GENERAL

Dear Mr. Whitmer:

We have your request for an opinion reading as follows:

"The Eighteenth Legislature, State of Arizona, under house bill #308, subdivision #33, appropriated to the Arizona State Hospital for the Insane, Florence Branch, \$165,000 for the 36th fiscal year under the heading of Other Current Expense, and \$10,000 for Capital Outlay which is not sufficient Capital Outlay to equip the Florence Branch.

Therefore, would it be legal to purchase additional equipment necessary to establish this branch using funds from the \$165,000 Other Current Expense".

The legislative appropriation for the Florence Branch of the State Hospital reads in part as follows:

	36th Fiscal Year	37th Fiscal Year
Other Current Expenditures (Including repairs)	165,000.00	60,000.00
Capital Outlay (Includes Land and Buildings)	10,000.00	3,000.00

Section 10-922, 1945 Supplement A.C.A.1939, reads as follows:

"Encumbrance in excess of allotments not to be approved. - In no event shall any budget unit approve any encumbrance document which will involve an expenditure of any sum in excess of the unencumbered balance of the allotment to which the resulting expenditure will be chargeable".

This section clearly indicates that funds from one allotment may not be used to supplement funds in another.

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Mr. Harry C. Whitmer,
Arizona State Hospital

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Section 10-925, 1945 Supplement A.C.A.1939, in part
says:

"Nothing in this act is intended to authorize
any person or officer to expend any funds for
a purpose other than for which it was appro-
priated".

It is therefore our opinion that funds allotted for one purpose
may not be used for another, and that funds appropriated to the
Florence Branch of the State Hospital for current expense may
not be expended so as to supplement funds in a Capital Outlay
Fund.

Very truly yours,

JOHN L. SULLIVAN,
Attorney General

PERRY M. LING,
Assistant Attorney General

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