

June 20, 1953

The Honorable Ruskin Lines
County Attorney
Graham County Court House
Safford, Arizona

LAW LIBRARY
ARIZONA ATTORNEY GENERAL

Dear Mr. Lines:

This is in reply to your letter of recent date concerning interpretation of certain sections of Chapter 77 of the Acts of the First Regular Session, 21st Legislature.

It is the opinion of this office that the expenditures includable in the "actual expenditures of the general and road funds of the 1952-53 fiscal year", which is the basis on which to compute the 20% addition that is allowed to the budget, contemplates using the figures set up in the 1952-53 budget. Therefore, those sums set forth in the 1952-53 budget under the general headings "general fund" and "road fund" are the basis to be used. It will be noted that the statute uses the word "actual expenditures" and hence any unexpended funds in the general and road fund must be subtracted before using the 20% allowed increase.

The answer to your second question relative to the increases in salaries of public officials depends on whether these expenditures were budgeted in the 1952-53 budget under the "general" or "road funds" of the county. As this office sees the problem it depends upon the budget of 1952-53 and the mechanics used therein in setting up said budget.

In answer to your third question -- are expenditures for elections and such other items, normally outside the 10% limitation control, includable. We must again answer this by reference to the 1952-53 budget. If these items were included in the "general fund" for 1952-53 then they are includable.

This is a matter that turns more on the fact situation in respective counties, as to their designation of items on their adopted budgets. If for any reason you feel that additional information would help us in arriving at a more explicit answer please send us this information.

If there is anything further that we can do relative to

53-67-L

The Honorable Ruskin Lines
Graham County Attorney

June 20, 1953
Page Two

this or any other question that you might have please do not
hesitate to call upon us.

The week's delay in answering your question was oc-
casioned by an undue number of our staff being out of the
office on trial work.

Sincerely yours,

JOHN M. MCGOWAN
Assistant to the
Attorney General

JMM:LE

53-67-L