

*La Rade  
Birmingham  
Clawson  
Baker*

January 13, 1954  
Letter Opinion  
No. 54-6-L

**LAW LIBRARY  
ARIZONA ATTORNEY GENERAL**

The Honorable L. S. (Dick) Adams  
House of Representatives  
418 North Oakland  
Phoenix, Arizona

Dear Sir:

Your oral request for an opinion as to whether moneys appropriated to the Department of Public Instruction and designated for "textbooks" may lawfully be expended for the re-binding of textbooks on hand, is answered as follows:

The cardinal principle of statutory construction is the legislative intent, *WEBB v. FROMMILLER* 52 Ariz. 128. If the Legislature of Arizona appropriates funds in the General Appropriation Bill and lines it out to be used for "textbooks" it is axiomatic that no other purpose may be substituted. The principle question at hand is whether it was intended to confine the expenditures to the purchase of new textbooks. The Bill is silent on that point.

Our Supreme Court in the *WEBB* case at page 135 applied the following yardstick in determining the legislative intent as to the scope of the word "administration", and what it was intended to include.

"Anything which may be considered as  
reasonably necessary and proper for the  
commission to do in the administration  
\* \* \*

It would, therefore, appear to be reasonably necessary and proper for the Superintendent of Public Instruction to expend these funds or portions thereof for the re-binding of textbooks on hand, rather than the purchase of new textbooks. So long as

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the money is expended for the purchase or rebinding of new and used textbooks it is the opinion of this office that the spirit of the designated purpose of the appropriation will have been complied with.

Very truly yours,

PAUL W. LA PRADE  
Assistant to the  
Attorney General

PWL:LR