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LETTER

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WADE CHURCH

L. C. HARDY

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ARIZONA ATTORNEY GENERAL

December 21, 1959

Major General J. C. Wilson  
The Adjutant General of Arizona  
747 West Van Buren Street  
Phoenix, Arizona

Dear General Wilson:

The reply requested in the letter from the National Guard Bureau obviously refers to paragraph 6 b through e and not paragraph 4 b through e. Therefore, the following questions and answers are based on paragraph 6 b through e.

6 b. The National Guard of Arizona, State of Arizona budget reveals non-reverting funds in an amount reported by The Adjutant General, National Guard of Arizona to be adequate to construct all proposed armories for National Guard purposes. These funds are specific in that they provide 75% cost of construction to be paid by the U. S. government and 25% by the State of Arizona. There is no data contained in the appropriation bill which authorizes the Adjutant General to enter into an agreement where other State or Federal agencies may benefit from the structures built from armory construction funds.

6 c. There is no permissive legislation existing in this State for the Adjutant General to enter into a joint utilization agreement.

6 d. All sites for future construction now have clauses from donor to the effect that its use is "for National Guard only."

It is the rule of the Planning and Building Commission that the State must own the land on which State funds are expended.

Yours very truly,

WADE CHURCH  
Attorney General

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