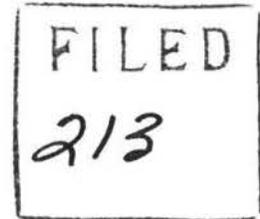


APPROPRIATIONS:

The term "estimate," found in C.C.S.H.B. No. 1004, 77th General Assembly, and other appropriation bills, is merely informational and has no legal effect.

OPINION NO. 213

May 10, 1974



Honorable Christopher S. Bond
Governor of Missouri
Executive Office
State Capitol Building
Jefferson City, Missouri 65101

Dear Governor Bond:

This is in reply to your request for an opinion of this office concerning the meaning of the word "estimate" as used in various provisions of C.C.S.H.B. No. 1004, 77th General Assembly. You state that an example of this is found in Section 4.015, which is an appropriation to the Governor as follows:

"All grants or contributions from federal or
other sources which may be made available
From Federal and Other Sources
(Estimate \$10,000)"

Then, there is no dollar amount listed in the right-hand column where the specific appropriated amounts are normally placed.

We are unaware of any legal definition of the use of the word "estimate" as used in this manner. We are aware that in the past appropriations of "all grants or contributions" from federal or other sources have been made, without setting a specific appropriated amount. This practice has been characterized as the "open-ended appropriation," the purpose of which is, obviously, to appropriate to the agency involved all such sums received. Therefore, the exact amount of the appropriation is left open.

This does not mean that when the appropriation bill is enacted neither the legislature nor the agency involved has any idea of what the approximate amount of the funds expected to be received will be. Hence, an estimated amount has usually been stated in the budget forms. This year this estimated amount has appeared in the form as quoted above.

Honorable Christopher S. Bond

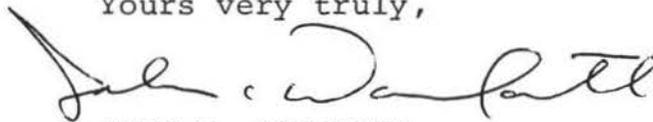
It is our opinion that the legislature intended to reflect this estimated amount, for reference purposes only, and did not intend to limit the amount of the appropriation. For example, if funds in excess of the \$10,000 were to be received pursuant to Section 4.015, such funds would be appropriated and could be expended.

CONCLUSION

Therefore, it is the opinion of this office that the term "estimate," found in C.C.S.H.B. No. 1004, 77th General Assembly, and other appropriation bills, is merely informational and has no legal effect.

The foregoing opinion, which I hereby approve, was prepared by my assistant, Walter W. Nowotny, Jr.

Yours very truly,

A handwritten signature in cursive script, appearing to read "John C. Danforth".

JOHN C. DANFORTH
Attorney General