

APPROPRIATIONS: Money appropriated under Section 5.161 of House Bill No. 383, 67th General Assembly, may be expended for all purposes necessarily related to the training of professional personnel for mental hospitals of the state.



October 19, 1953

Honorable B. E. Ragland, Director  
Division of Mental Diseases  
Department of Public Health and Welfare  
State Office Building  
Jefferson City, Missouri

Dear Sir:

Reference is made to your request for an official opinion of this department, reading as follows:

"The 67th General Assembly passed House Bill No. 383 which appropriates funds for the use of St. Louis State Hospital as follows:

"Section 5.161. ST. LOUIS STATE HOSPITAL--FOR TRAINING PROFESSIONAL PERSONNEL TO BE EMPLOYED IN VARIOUS MENTAL HOSPITALS OF THE STATE--GENERAL REVENUE FUND.--There is hereby appropriated out of the state treasury, chargeable to the General Revenue Fund, the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) for the use of the St. Louis State Hospital for the purpose of training professional personnel to be employed in the various mental hospitals of the state; for the period beginning July 1, 1953 and ending June 30, 1955."

"Said amount was reduced by the Governor as follows:

"Section 5.161. On page 9, line 3, Training Professional Personnel, I

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have reduced the amount from \$250,000.00 to \$100,000.00 and approve said amount, for the reason that \$100,000.00 is ample for this purpose at this time.

Phil M. Donnelly, Governor'

"I respectfully request your official opinion as to whether or not any portion of the amount approved by the Governor can be expended for operations, additions, repairs and replacements for use of the hospital in connection with the training program."

It is apparent that in the preparation of this particular appropriation the General Assembly has followed the requirements of Section 23, Article IV, Constitution of 1945, reading in part as follows:

"Every appropriation law shall distinctly specify the amount and purpose of the appropriation without reference to any other law to fix the amount or purpose."

(Emphasis ours.)

This is in accordance with the further requirements of Section 21.260, RSMo 1949, requiring that appropriations must be itemized.

The "purpose" of the appropriation contained in the Act under consideration is expressed clearly as being that of "training professional personnel to be employed in the various mental hospitals of the state." The "training" of professional personnel being the prime purpose of the appropriation, it becomes necessary to determine what expenditures may properly be made in achieving the result which is desired. It is common knowledge that "training" of any professional group contemplates more than merely academic lecturing and teaching from text books. In many instances, equipment of a highly technical nature may be required. In other words, it may be necessary that particular buildings may be necessary to carry on such a program of "training."

We are completely unfamiliar with the necessary requisites for "training" professional personnel to fit such persons for

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employment in mental hospitals and, of course, express no opinion with respect to any particular expenditure which may be made allegedly for such purpose. However, the necessary essentials of such "training" are no doubt available in accordance with established educational institutional procedures, and the validity of any expenditure or proposed expenditure can be determined by reference to such standards.

CONCLUSION

In the premises, we are of the opinion that the appropriation made under Section 5.161 of House Bill No. 383, 67th General Assembly, may be used for any purpose necessarily connected with the "training" of professional personnel to qualify such persons for employment in the mental hospitals of this state, and that the validity of any specific expenditure made therefrom must be determined by reference to recognized established educational standards designed for such "training."

The foregoing opinion, which I hereby approve, was prepared by my Assistant, Mr. Will F. Berry, Jr.

Yours very truly,

JOHN M. DALTON  
Attorney General

WFB/lrt/fh