

APPROPRIATIONS:) Appropriations for vocational education,
STATE TREASURER) Section 41, Laws 1933, p. 86, for bi-
STATE AUDITOR) ennial period of 1933-1934.

August 22, 1934.



Honorable Richard R. Macy
State Treasurer
Jefferson City, Missouri

Dear Mr. Macy:

We have your request of June 30, 1934
for an opinion on the following statement:

"On Page 86, Section #41, 1933,
Regular Session, an appropriation
was made for Vocational Education
which reads in part as follows:

There is hereby appropriated
for the fiscal year beginning
July 1, 1932 and ending June
30, 1934, certain sums of
money for Vocational Education.

I would like your opinion as to
whether or not the State Treasurer
be authorized to pay out of money
in this appropriation on State
Auditor's warrants bearing a date
later than June 30, 1934."

After careful consideration and reexamina-
tion of new and additional information received by this
office, the opinion heretofore written under date of
July 17, 1934, particularly the conclusions reached there-
in, is modified by this opinion, based upon such addi-
tional information received since the writing of that
opinion.

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The 1933 appropriation for vocational education, Laws 1933, p. 86, Section 41, is rather awkwardly worded. An examination of earlier Appropriation Acts for vocational education, to-wit, Laws 1929, p. 33, Section 26, finds that this appropriation was,

" * appropriated out of the state treasury, chargeable to the one-third (1/3) part of the ordinary revenue paid into the state treasury for the fiscal years beginning on the 1st day of July, and ending on the 30th day of June two years later."

You will note that the intent of the 1929 Appropriation Act was that the vocational education money should be chargeable to the school funds which were paid into the state treasury beginning on the 1st day of July and ending on the 30th day of June two years thereafter.

We are further advised that all previous Appropriation Acts for vocational education have been for the regular two year period for which all other appropriations are made. Some confusion has resulted from the 1933 Appropriation Act by the insertion of a comma after the word "Missouri". Transposed, it is apparent that the true meaning of Section 41 is as follows:

"There is hereby appropriated out of the State treasury, the sum of \$283,400., chargeable to that part of the state revenue set apart for the support of the free public schools of Missouri for the fiscal year beginning July 1st, 1932 and ending on June 30, 1934, for carrying into effect the provisions of article 6 etc."

We are of the opinion that the dates July 1st, 1932 to June 30th, 1934 are dates between which the school moneys, out of which this appropriation is to be paid, are

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actually paid into the state treasury.

The title of the Act, Laws 1933, p. 62, states that the appropriations are for the biennial period beginning January 1, 1933 and ending December 31, 1934.

It is, therefore, the opinion of this office that any item or debt properly chargeable to this appropriation, and which item or debt accrued during the year 1933, or the year 1934, is properly chargeable to this appropriation and should be paid from this appropriation; that warrants bearing dates subsequent to June 1st, 1934 and not later than December 31st, 1934 are properly chargeable to this appropriation and should be paid by the state treasurer.

Yours very truly,

FRANKLIN E. REAGAN
Assistant Attorney General

APPROVED:

ROY McKITTRICK
Attorney General

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