



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GROVER SELLERS  
ATTORNEY GENERAL

Dr. E. A. Grist  
Chief Veterinarian  
Livestock Sanitary Commission  
2002 W. T. Waggoner Building  
Fort Worth 2, Texas

Dear Dr. Grist:

Opinion No. 0-6469  
Re: Procedure necessary for the  
transfer of equipment and sup-  
plies used in the study of  
bitterweed control by the  
Livestock Sanitary Commission  
to the A. & M. College.

Your recent letter advises this department that the departmental appropriation bill of the 42nd Legislature (Acts of the 42nd Legislature, 1931, page 715) appropriated to the Livestock Sanitary Commission the sum of \$20,000.00 "for the purchase of necessary equipment and supplies to be used in the study of the control of bitterweed under the direction of the A. & M. College at Experiment Station No. 14." The Livestock Sanitary Commission accordingly erected buildings, purchased office and laboratory equipment and supplies and machinery and implements to carry out the purpose of the appropriation. The entire project was and, so you state, has remained continuously in the property accounts and under the direction of the A. & M. Experiment Station; but, the expenditure of the appropriation was accounted for in the appropriation ledger then kept by the Livestock Sanitary Commission. You request this department's opinion as to the procedure necessary for the transfer of this property from the Livestock Sanitary Commission to the A. & M. College.

The appropriation authorized "the purchase of necessary equipment and supplies" - - nothing was said about the erection of a building to house the equipment and the supplies. Subject to Constitutional Limitations, the State Legislature controls the property of the State. The writer, after a careful

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review of our constitution and statutes, failed to find any provisions applicable to the facts under consideration.

The Legislature controls the disposition of the property of the State and it will therefore take an act of the Legislature to transfer the mentioned property to A. & M. College. (McDonald v. Kentucky University, 225 Ky. 205, 7 S. W. (2d) 1046).

Yours very truly

ATTORNEY GENERAL OF TEXAS

*David Wuntch*

BY

David Wuntch  
Assistant

APPROVED APR 20 1945

*Carl F. Hohley*  
FIRST ASSISTANT  
ATTORNEY GENERAL

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APPROVED  
OPINION  
COMMITTEE  
BY *BWB*  
GRAMMAR