

BOARD OF OPTOMETRY: Empowered under Section 47, Laws of Mo.,
1945, page 1445, to change their fiscal
year to begin on July 1.

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November 5, 1947

Dr. J. R. Wockhorst, Secretary
Missouri State Board of Optometry
136 N. Second Street
St. Charles, Missouri

Dear Sir:

This is in reply to your letter of October 18, 1947, in
which you requested an opinion from this department, reading
as follows:

"It is my understanding that the present
Missouri Constitution requires all boards,
bureaus and departments of the State
government to conduct their business on
a fiscal year dating of July 1, 1947
through July 30, 1948. Because of the
requirements of the Constitution, I be-
lieve that Senator Frisby introduced a
re-organization Bill #113 in the Senate
for the purpose of changing the Optometry
law so that our Board could conform with
the requirements of the Constitution.
Through some error or over-sight in making
up the context of the bill, Senate Bill
#113 was not only a re-organization bill
for the fiscal year governing the Optometry
Board, but also made a fundamental change
in our law that was not the intent or pur-
pose of the bill, therefore Senate Bill
#113 was vetoed. I also understand that
there has not been any new bill passed by
the legislature taking care of this Board's
problem. Recently, I received a letter
from the Department of Revenue by Mr. G. W.
Bates, Collector of Revenue, recommending
that as Secretary-Treasurer of this Board,
that I change the fiscal year of this Board

to conform with the Constitution. The question in my mind is 'Am I legally empowered to do so. If not, then is it legally possible for this Board to continue to operate under its present set-up of a fiscal year beginning April 1, 1947, terminating March 31, 1948?' In as much as I am under bond as to the collection of required fees for this Board, I would appreciate your sending me your opinion as to what course of action is correct for me to follow under the circumstances."

We refer you to Section 47, Laws of Missouri, 1945, page 1445, which reads as follows:

"The fiscal year of the state shall begin on July first and extend to and include the thirtieth day of June of the next calendar year, and the books, accounts and reports of the public officers shall be made to conform thereto. This provision shall not be deemed to refer to the fiscal year of the counties of the state."

We think that under the general provisions of Section 47, above, you are empowered to change the fiscal year of the Missouri State Board of Optometry to conform with the section, and, also, to conform with the Constitution.

Conclusion.

It is the opinion of this department that the Missouri State Board of Optometry is empowered, under the provisions of Section 47, Laws of Missouri, 1945, page 1445, to change its fiscal year to begin on July first and extend to and include the thirtieth day of June of the next calendar year.

Respectfully submitted,

APPROVED:

JOHN R. EATY
Assistant Attorney General

J. E. TAYLOR
Attorney General

JRE:ml