

**School Funds, Apportionment of for Library Purposes.**

The county school fund out of which apportionment is made for library puposes, as provided in Section 2001 of the Political Code, consists of the income from the permanent state school fund and rents from school lands, and the general school levy made by the board of county commissioners, but does not include special levies voted or fixed by the trustees in any district.

March 9, 1905.

Hon. W. E. Harmon, Superintendent of Public Instruction, Helena, Montana:

Dear Sir:—Your letter of February 24, asking for an opinion of this office as to what constitutes the “county school fund annually apportioned in the district”, as designated in Section 2001, of the Political Code, to hand.

Said section provides for a school library fund in school districts, and says that it shall consist of not less than five nor more than ten per cent of the “county school fund annually apportioned in the district.”

The county school fund annually apportioned to a school district, as mentioned in said Section 2001, consists of such district's portion of all state school funds apportioned to a county by the superintendent of public instruction, under Section 1714 of the Political Code, together with such district's portion of the annual school levy of two mills made by the board of county commissioners, under Section 1940A, as amended by the laws of 1901, p. 12, and also of such district's portion of all money received from fines and violations of law paid into the general school fund of the county in which such district is situated. But such fund does not include any special funds of a school district raised by special tax, or otherwise, for the exclusive use of such district.

Yours very truly,

ALBERT J. GALEN,  
Attorney General.