

**Game and Fish Fund. State Game Warden, Deputy.
Deputies, Traveling Expenses Of.**

The limitation of \$2,000 per annum fixed by Section 1967, Revised Codes, for the expenses of the Game Warden's Office, and the limitation of \$300.00 per annum, fixed by Section 1968, Revised Codes for traveling expenses of deputy game warden are not to be considered as appropriation bills, but merely as a

limitation upon the amount of money to be expended in the office of the state game warden and by his deputies for traveling expenses.

December 17th, 1910.

Hon. Henry Avare,
State Game and Fish Warden
Helena, Montana.

Dear Sir:

I am in receipt of your letter of December 9th, wherein you ask my official opinion as to whether the amounts of money to cover the office expenses of your office and the traveling expenses of your various deputies lapsed into the fish and game fund on November 30th.

You are advised that in my opinion the money to meet the office and traveling expenses of your department always remains in the fish and game fund, and that Sections 1967 and 1968 are not acts appropriating money but are merely a limitation upon the expenses of your department. No special appropriation is made and no amount specially set aside to cover the expenses of your department, but the statutes above referred to limit the expenses which you may incur to \$2,000.00 per annum, and limits the expense which may be incurred by deputies traveling in their own district to \$300.00 per year.

You are therefore advised that in my opinion, money may be taken from the fish and game fund to meet proper expenses of yourself and deputies at any time during the calendar year, but these expenses may not in any event exceed the limitations found in Sections 1967 and 1968. These sections are not in my opinion appropriations, in fact, if they were so considered, they would be in conflict with the constitutional provisions that the legislature has no power to appropriate money for a longer period than two years.

Yours very truly,

ALBERT J. GALEN,
Attorney General.