

Automobile Registrations—Fees — Distribution Of—Old and New Counties.

Fees derived from automobile registrations should be distributed between old and new counties in proportion to respective indebtedness.

May 6th, 1919.

State Highway Commission,
Helena, Montana.

Gentlemen:

I am in receipt of your letter of recent date regarding distribution of receipts of automobile registrations between the different counties, and asking whether or not such fees should be distributed to the new counties created by the last legislature or only among the counties in existence on December 31st, 1918.

In each case where a new county was created the indebtedness of the old county, after deducting all cash on hand, was apportioned between the old and the new county in proportion to the taxable value of the property in each. If these fees had been paid over to the old county prior to such apportionment and adjustment it would have decreased the amount of the indebtedness apportioned to the new county, and should all of the fees be now distributed to the old county, the new county will have had apportioned to it a larger portion of the indebtedness of the old county than should have been apportioned to it and will not have any part of such fees as an offset thereto.

I am, therefore, of the opinion that these fees should be distributed between the old counties and the new counties in proportion to the amount of indebtedness of the old counties apportioned to each. In order that you may know just how to apportion these fees between the old and new counties, I am today writing to the county clerk and recorder of each county which has been divided asking him to send me the percentage used in apportioning the indebtedness. As soon as I receive answers to these letters I will advise you of the manner in which such fees are to be divided between the old and new counties.

Respectfully,

S. C. FORD,

Attorney General.