

Montana Irrigation Commission, Appropriation For.

Sept. 17, 1919.

Hon. Dan Boyle, Chairman,
Montana Irrigation Commission,
Helena, Montana.

Dear Sir:

You have requested my opinion of Section 17, Chapter 14, Laws of the Sixteenth Legislative Assembly, Extraordinary Session.

Section 17 appropriates the sum of \$25,000.00 for the purpose of carrying out the provisions of said Act.

An investigation of the history of this law discloses that the bill as finally passed by both houses carried an appropriation of \$7,500.00, but that through a clerical error in the enrolling of said bill, the appropriation was shown as \$2,500.00. The enrolled bill carrying \$2,500.00 was approved by Governor Stewart and filed in the office of the Secretary of State.

As the matter stands, the sum of \$2,500.00 only was appropriated. In other words, we are bound by the law as signed by the Governor and filed with the Secretary of State. This is an unfortunate situation and unless some method can be found whereby a greater sum may be used by your Commission, the act of necessity must become practically a dead letter, for the time being at least. In other words, the sum of \$2,500.00 is wholly inadequate for the purpose of defraying the expenses incident to carrying out the purposes of the Act.

In view of the facts as above set forth, I feel that your Commission should proceed to expend the money appropriated and if such sum is inadequate, that the Board of Examiners permit you to create a deficiency and that the next legislature be asked to appropriate money to cover such deficiency.

Respectfully,

S. C. FORD,

Attorney General.