

Statutes—Constitutionality.

Since section 1 of Substitute for House Bill No. 313, laws of 1927, p. 572, deals directly with the subject matter expressed in the title, and section 6 is simply an administrative provision referring to the appropriation provided in section 1, this provision is not unconstitutional.

March 24, 1928.

George P. Porter, Esq.,
State Auditor,
Helena, Montana.

My dear Mr. Porter:

You have requested my opinion on the following question:

“Is section 6 of substitute for house bill 313, laws of 1927, page 572, constitutional, it not having been mentioned in the title of the bill?”

This bill is entitled:

“An act appropriating money for the operation and maintenance of the teaching units of the greater university of Montana and students, railroad refund for the period beginning July 1, 1927, and ending June 30, 1929.”

And section 1 of the bill provides in part as follows:

“That the following sums, or so much thereof as may be necessary, be and the same are hereby appropriated out of any money in the state treasury from the one and one-half mill levy not otherwise appropriated, and out of any special fund herein designated, for the objects and purposes hereinafter expressed, for the year beginning July 1, 1927, and ending June 30, 1928.”

Section 6 thereof provides:

“The state treasurer, state auditor and state accountant shall set up on their books a fund which shall contain the one and one-half mill levy from which the appropriations contained in sections 1 and 3 of this act are to be paid.”

Since section 1 deals directly with the subject matter as expressed in the title, and section 6 is simply an administrative provision referring to the appropriation provided for in section 1, it is my opinion that this provision is not unconstitutional.

Very truly yours,

L. A. FOOT,
Attorney General.