

Funds—Counties—Sinking Funds—Special Funds.

House bill 271 has to do with all funds other than the general fund of the county, and it includes sinking funds referred to in chapter 86, laws 1923.

J. G. Larson, Esq.,
State Examiner,
Helena, Montana.

March 31, 1927.

My dear Mr. Larson:

You have requested my opinion whether house bill 271 of the twentieth legislative assembly in any way affects chapter 86, laws of

1923, regarding the investment of sinking funds of a county, and what is meant by special funds as used in house bill 271.

House bill 271 authorizes the investment of any special funds in the custody of the county subject to deposit in warrants of the county. It repeals all acts and parts of acts in conflict therewith.

It is my opinion that the term special funds as used in house bill 271 embraces all funds except the general fund of the county, and includes sinking funds. House bill 271 being the later enactment, to the extent that it conflicts with chapter 86 laws of 1923, supersedes the latter.

If a county desires to invest its sinking funds in warrants of the same county, it is my opinion that it may do so without the approval of the state examiner. If the county desires to invest sinking funds of the county in the securities named in chapter 86, then the approval of the examiner must be had.

Very truly yours,

L. A. FOOT,
Attorney General.