

**Senate Bill No. 57—Substitute for House Bill No. 12—
Statutes—Repeal—Amendment.**

Where two bills are enacted at the same session, one of which amends a section, which section is repealed by the other act without mention of the amendment, the act, as

amended, is not repealed, even though the repealing act is approved at a later date than the amending act.

A. A. Alvord, Esq.,
County Attorney,
Thompson Falls, Montana.

April 28, 1927.

My dear Mr. Alvord:

The situation with respect to senate bill 57 is as follows:

Substitute for house bill 12 contained a section making provision for the investment of sinking funds. This was section 31, which was later struck out, as senate bill 57, which passed the senate, covered the same ground.

In striking out section 31 of substitute for house bill 12 the legislature failed to strike out the provision contained in that bill repealing section 1230 R. C. M. 1921. This was the section that was amended by senate bill 57.

Senate bill 57 passed and was approved March 7th while the substitute for house bill 12 was approved at a later date. Clearly it was not the intention of the legislature to nullify senate bill 57 by substitute for house bill 12, and while the latter act repealed section 1230, it did not repeal that section, as amended; consequently, senate bill 57 would still stand notwithstanding the repeal of section 1230.

Very truly yours,

L. A. FOOT,
Attorney General.