

**Advertising—County Fair Commissioners—Funds—Appropriations—Counties.**

Under the provisions of section 4549, R.C.M. 1921, as amended by chapter 32, laws of 1927, if the sum to be appropriated from the general fund is to be used for advertising purposes then it can be spent for the purpose of enabling the county to avail itself of the advantageous advertising facilities of an adjoining county in advertising the county's products and resources at the adjoining county's fair.

Mr. A. D. Thomas,  
Manager, Richland County Fair,  
Sidney, Montana.

January 16, 1931.

My dear Mr. Thomas:

You have requested my opinion whether the county commissioners of any county can appropriate money from any of the funds toward a county fair held in an adjoining county.

Section 4549, R.C.M. 1921, as amended by chapter 32, laws of 1927, provides as follows:

“The Board of County Commissioners of their respective counties may appropriate annually out of the general fund of the county treasury to the County Fair Commission a sum not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), to be expended by the County Fair Commission for the purpose of holding a county fair, or advertising the products and resources of their county. In addition to the appropriation above provided for, or in lieu thereof, the County Commissioners of any county in Montana shall have the power to levy an advalorem tax of one and one-half (1½) mills or less on each dollar of taxable property in such county, for the purpose of securing, equipping and maintaining a county fair, including the purchase of land for

such purpose, and the erection of such buildings and other appurtenances as may be necessary; provided, however, that no portion of said appropriation or tax levy shall be expended for horse racing.”

Under the authority of the above statute the board of county commissioners may appropriate from the general fund \$2,500.00, or any part thereof, to the county fair commission to be used by them for the purpose of holding a county fair or advertising the products and resources of the county. If the sum so appropriated is to be used for the purpose of holding a county fair it could not be spent in connection with the fair of an adjoining county, but if it is to be used for advertising purposes then the fair commission would be authorized in spending the same with an adjoining county for the purpose of availing itself of the advantageous advertising facilities of the adjoining county in advertising their own county's products and resources at the adjoining county's fair.

Very truly yours,

L. A. FOOT,  
Attorney General.