

**Opinion No. 8****Employees of Legislature—Compensation of Legislature—Constitutional Law.**

HELD: Neither house, acting alone, can change the rate of compensation of the various attaches and employees of the legislative assembly.

January 12, 1933.

We have your inquiry for information concerning the rate of pay of employees of the Legislative Assembly.

Section 28, Article V of the Constitution of the State of Montana provides:

“The legislative assembly shall prescribe by law the number, duties and compensation of the officers and employees of each house.”

The Constitution therefore commands that the compensation shall be fixed by law. This means that there must be an agreement by both houses and that the bill shall receive the Governor's signature, unless it be passed over his veto.

Section 76 R. C. M. 1921 specifically provides the number, designations and rate of compensation of the various attaches and employees. It would seem, under the constitutional provision above cited, that neither house, acting alone, can change the rate.