

Opinion No. 174.**Barbers—Mileage for Transportation.**

HELD: Board members using their own cars for transportation on examination and inspection tours may not be allowed in excess of 7¢ per mile.

September 26, 1935.

Mr. A. F. Hamilton
Secretary, Montana State Board of
Barber Examiners
Missoula, Montana

You have requested my opinion as to whether the members of the Board of Barber Examiners should be allowed seven and one half cents or seven cents per mile while driving their own cars on inspection and examination tours.

Section 8, Chapter 27, Laws of 1929, provides that members of the Board shall receive a compensation of ten dollars per day while attending Board meetings "together with legitimate and necessary expense incurred in attending the meetings of said Board."

Section 9, Chapter 18, Laws of 1931, provides: "* * * the Board may, at its discretion, appoint inspectors with authority to inspect barber shops, their compensation to be the same as provided for the members of the Board while engaged in the said duty."

Section 1 of Chapter 16, Laws of 1933, amending Section 4884, Revised Codes of Montana, reads: "Members of the legislative assembly, state officers, county officers, township officers, jurors, witnesses, and all other persons except sheriffs, who may be entitled to mileage, shall be entitled to collect mileage at a rate of not to exceed seven cents (7¢) per mile for the distance actually traveled, and no more."

It is my opinion that said Section 4884, as amended, is applicable and that a sum not to exceed seven cents should be allowed to members of the Board for their legitimate and necessary expense for transportation while using their own automobiles on inspection and examination tours.