

Opinion No. 71

**Public Welfare—Appropriations—
Reimbursements.**

HELD: Reimbursements accruing prior to July 1, 1939, and received by the State Department thereafter, as well as all reimbursements accruing during the biennium beginning July 1, 1939, are appropriated to the use of the Department for said biennium, under the provisions of Section 5, House Bill No. 427.

May 25, 1939.

Mr. I. M. Brandjord, Director
State Department of Public Welfare
Helena, Montana

Dear Mr. Brandjord:

You have requested my opinion as to whether or not, under the provisions of House Bill No. 427, all reimburse-

ments accruing prior to July 1, 1939, but received after said date and during the period covered by said House Bill are appropriated for the use of the State Department during the biennium period July 1, 1939, to June 30, 1941.

Section 5 of House Bill No. 427 provides:

"In addition to the foregoing appropriations, there is hereby appropriated for both of the fiscal years mentioned herein all funds which may be received from counties as reimbursements for the purposes for which they are designated and any other funds which may be received by the Department of Public Welfare." (Emphasis ours.)

The language of this provision is clear and unequivocal and needs no interpretation. It is plain that the legislature meant that the Department should have for its use, not only the specific amounts appropriated, but **in addition** thereto reimbursements due from counties and which may be received by the Department during the biennium.

It is, therefore, my opinion that all moneys received by the State Department of Public Welfare as reimbursements from counties, which had accrued prior to July 1, 1939, the beginning of the present biennium, as well as all such reimbursements accruing and received by the Department after July 1, 1939, are appropriated for the use of the Department during the biennial period July 1, 1939, to June 30, 1941.