

No. 110

UNIVERSITY OF MONTANA—SALARIES

Held: Appropriation Items two and three under Section 2 of House Bill No. 174, Laws of 1941, intended to provide for partial salary restoration of reductions made in 1933 and also adjustments of salaries for all other teaching staff positions and clerical positions.

May 7, 1941.

Honorable C. W. Leaphart
Acting President
Montana State University
Missoula, Montana

Dear Mr. Leaphart:

You have asked for interpretation and an opinion on that part of House Bill No. 174, relating to appropriation items two and three under Section 2 of said bill, for the period beginning July 1, 1941, and ending June 30, 1942, which is as follows:

“Montana State University at Missoula—

“1. From the University Millage Fund . . .

“For adjustments and partial restorations of salary decreases of 1933, not retroactive, for instructional staff and clerical employees only twenty thousand dollars (\$20,000.00).

“For adjustments and restoration of wage decreases of 1933, not retroactive, for employees’ salaries in physical plant, five thousand, two hundred forty dollars (\$5,240.00).”

From the reading of the foregoing provisions and the information obtained from members of the sub-committee and committee having this particular appropriation measure in charge during its passage through the Legislature, it is apparent the legislative intent was to provide an amount for partial salary restoration for positions decreased in 1933 and also adjustments of salaries for all other teaching staff positions and the clerical positions. In other words, in my opinion, the legislature in making this appropriation intended it was to apply to all of the positions in the instructional staff and all of the clerical positions.

The same intention of the Legislature applies to the appropriation for employees’ salaries in the physical plant.

In my opinion this construction is borne out by noting that the Legislature increased the amount of these items for the fiscal year period beginning July 1, 1942, and June 30, 1943. An intent on the part of the Legislature progressively to adjust present salaries and wages is thereby indicated.

Sincerely yours,

JOHN W. BONNER
Attorney General