

## No. 46

**SCHOOLS AND SCHOOL DISTRICTS, Warrants of—IRRIGATION DISTRICTS, Warrants of—COUNTIES, Warrants of—WARRANTS, Rate of Interest on**

**Held:** The reduction of rate of interest on warrants provided by House Bill No. 22, Laws of 1941, which amends Sections 4625 and 4753 of the Revised Codes of Montana, 1935, does not apply to school district or irrigation district warrants.

March 17, 1941

Mr. W. A. Brown  
State Examiner  
State Capitol  
Helena, Montana

Attention: Mr. S. L. Kleve, Chief Examiner.

Dear Mr. Brown:

Your letter of March 12 requests my opinion as to whether the reduction of the rate of interest on warrants under House Bill No. 22, passed by the Twenty-seventh Legislative Assembly, and heretofore approved by the Governor, applies to school district and irrigation district warrants, as well as county warrants.

House Bill No. 22 amends Section 4625 of the Revised Codes of Montana, 1935, so that county warrants will bear interest at the rate of four per cent instead of six per cent. Section 2 of the Bill amends Section 4753 of the Revised Codes of Montana, 1935, and provides in part as amended:

“When any warrant hereafter issued is presented to the treasurer for payment, . . . the warrant shall bear interest at four (4%) per cent per annum.”

The term “any warrant” contained in Section 4753 has been construed to include school district warrants. (Opinions of Attorney General, Vol. 3, page 306).

The title of House Bill No. 22 is as follows:

“AN ACT TO AMEND SECTION 4625 AND SECTION 4753 OF THE REVISED CODES OF MONTANA OF 1935, RELATING TO THE RATE OF INTEREST PAID BY COUNTIES IN MONTANA, ON COUNTY WARRANTS, ‘NOT PAID FOR WANT OF FUNDS.’”

Article V, Section 23 of the Montana Constitution states:

“No bill, except general appropriation bills, and bills for the codification and general revision of the laws, shall be passed containing more than one subject, which shall be clearly expressed in its title; but if any subject shall be embraced in any act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed.”

The title to House Bill No. 22, referring to county warrants only, does not include any reference to school district or irrigation district warrants. Such warrants are therefore not affected by the Act and the rate of interest on such warrants is not reduced. (Coolidge et al. vs. Meagher, 100 Mont. 172, 46 Pac. (2nd) 684.)

Sincerely yours,

JOHN W. BONNER  
Attorney General

(Editor's Note: House Bill 22, referred to above, appears as Chapter 15, Laws of 1941.)