

No. 469

**APPRENTICESHIP—STATE APPRENTICESHIP COUNCIL, Meetings, expenses of—DEPARTMENT OF AGRICULTURE, LABOR AND INDUSTRY**

**Held:** Expenses of members of the Montana State Apprenticeship Council in attending meetings of the council may not be charged against funds appropriated to the Department of Agriculture, Labor and Industry.

August 22, 1942.

Mr. Albert H. Kruse, Commissioner  
Agriculture, Labor and Industry  
State Capitol  
Helena, Montana

Attention: Mr. Henry A. Yaeger,  
Inspector in Charge, Division of Labor

Dear Mr. Kruse:

You have requested my opinion whether expenses of members of the Montana State Apprenticeship Council for attending meetings of the council may legally be paid from fund 510-8 of the appropriation for the department, designated, "Salaries and Expenses of the Office of the Commissioner of Labor."

Chapter 149, Laws of 1941, created the Montana State Apprenticeship Council. It provides the council shall consist of three representatives each from employer and employee organizations respectively, to be appointed by the Commissioner of the Department of Agriculture, Labor and Industry. The state official who has been designated by the state board for vocational education as being in charge of trade and industrial education and the state official who has immediate charge of state public employment service are made members ex-officio.

The purpose of the act is to provide a system of voluntary apprenticeship agreements and to encourage such agreements and to establish standards therefor. The act makes no provision for meetings or expenses of the council. No appropriation for the council was made by the legislature. The Commissioner of Agriculture, Labor and Industry is not a member of the council. He is merely the appointing power under the act.

Fund 510-8 is derived from the appropriation made to the Department of Agriculture, Labor and Industry in the general appropriation bill. (House Bill 380 of the Twenty-seventh Legislative Assembly; page 401, Laws of 1941.)

It will be noted the legislature has designated the funds appropriated for specific purposes, such as salaries, capital repairs and replacements, and operation. It has also defined the purposes for which the specific sums appropriated are to be used. Hence, in order to expend any part of the appropriation the purposes of the expenditure must come within the definitions. It cannot be said that expenses of the council members—who are not employees or otherwise connected with the department—come within any purpose designated by the legislature for which funds appropriated to the department may be used.

It is therefore my opinion expenses of members of the Montana State Apprenticeship Council in attending meetings of the council may not be charged against funds appropriated to the Department of Agriculture, Labor and Industry.

Very truly yours,

R. V. BOTTOMLY  
Attorney General