

OPINION
50-168

May 10, 1950 (OPINION)

SCHOOLS

RE: Memorial

I am in receipt of your letter of May 5, 1950, in which you request the opinion of the attorney general's office on a proposed memorial to be set up for the Alexander high school. You state:

The McKenzie County Commissioners have authorized a memorial levy subject to the approval of the county voters. When the levy was authorized the money was to be split between the Alexander High School Gymnasium and the Watford City Hospital. This was agreed on in the spring of 1949. We had already passed a bond issue for a building program. During the last part of 1949 and continuing into this year we have been constructing our gym. In the event that this levy passes, would we be eligible to receive any of this money for the redemption of school district bonds and for the completion of our building."

It is the opinion of this office that the high school is eligible to receive any of the moneys raised by the levy authorized by the county commissioners, and may spend that money either to retire the bonds or to complete the building, provided the county commissioners make said funds available as per their original resolution.

WALLACE E. WARNER

Attorney General