

**OPINION
51-116**

April 25, 1951 (OPINION)

OASIS

RE: Construction of 1951 Amendment

This office has your letter of April 20, 1951, asking for a construction of Senate Bill 53, having specific reference to the effect of said bill upon persons receiving benefits under section 52-0914 and what their status will be after Senate Bill 53 becomes a law on July 1, 1951.

After the first of July, 1951, the various sections of the law which will be in force are as follows:

Subdivision a of section 52-0914, relating to benefit payments. You will note that this section refers to section f of section 52-0920 for a definition of a fully insured individual.

You will also notice that subdivision a of section 52-0914 refers to subdivision d of section 52-0920 for the determination of the benefits to which the pensioner is entitled.

You will notice that subdivision d of said section 52-0920 was amended and under such amendment the benefits were increased and it is our opinion that after July 1 to determine the benefits to which any pensioner is entitled, you will first look at subdivision a of section 52-0914; then you will refer to section 52-0920 to determine if the pensioner meets the qualifications of a fully insured individual. When you have so determined, you will then refer to subdivision d of section 52-0920 to compute the amount of benefits to which the pensioner is entitled, and we hold that he is entitled to such benefits as are set out in the amendment to subsection d of section 52-0920, even though such pensioner had been receiving benefits prior to the date when the 1951 amendment took effect. It is a well settled proposition of law that an amendment to a law, when enacted, shall be treated as though it was part of the original act.

ELMO T. CHRISTIANSON

Attorney General