

OPINION
53-69

May 15, 1953 (OPINION)

LAW ENFORCEMENT

RE: Extraordinary expenses due to Federal Agencies

This is in response to your letter of May 7, wherein you state as follows:

"I have been requested to ask for an opinion from your office as to whether the purchase of a stationary short wave radio installation to be used at Riverdale would be within the provisions of chapter 6 of the 1951 session laws, relating to the reimbursement of extraordinary expenses of law enforcement in this county.

"The county now has a permanent installation at the sheriff's office in Washburn and automobile units in the sheriff's car and one deputy's car, all of which, of course, are on the same frequency as the radios of our two highway patrolmen and the entire statewide police hookup. At Riverdale the government has their own short wave radio on the project, but it is not on the same frequency as the police radio and we therefore have no short wave contact with Riverdale. Incidentally, we probably would not have put in our present radios if it had not been for the dam.

"If we had an installation at Riverdale the government personnel would operate it at not cost to us. Such a system would certainly be desirable from the law enforcement point of view, but I grant that there is some question as to whether it is necessary and whether chapter 6 of the 1951 session laws would authorize reimbursement for such an expenditure. We therefore thought it would be wise to consult with you about such an expenditure before making it."

The facts you state relate to the situation known to exist in McLean County among others by reason of the Garrison Dam Project, which situation unquestionably prompted by the passage of chapter 6, session laws of 1951.

It is our opinion that under this state of facts, the county commissioners of McLean County have sufficient cause upon which to base an application for funds under the provisions of chapter 6, session laws of 1951. Procedure, contents and support for such application are set out in that chapter.

Your attention is directed to the fact that the appropriation under chapter 6 is in effect only for one biennium and therefore only through June 30, 1953.

ELMO T. CHRISTIANSON

Attorney General