

Board of Examiners—Fish and Game—Buildings.

The fish and game commission may let a contract to construct a state building, and this power is not vested exclusively in the board of examiners.

William Powers, Esq.,
Secretary of State,
Helena, Montana.

June 14, 1927.

My dear Mr. Powers:

You have requested my opinion whether chapter 147, laws of 1927, supersedes section 3668 R. C. M. 1921 so as to place the matter of constructing buildings exclusively in charge of the board of examiners.

Section 3668 is a special act empowering the fish and game commission to construct certain buildings. Chapter 149 of the laws of 1927 is a general act and if it conflicts with a special act of an earlier date, it does not supersede the special act. This rule of law is well settled.

Furthermore, the two acts do not appear to be irreconcilably in conflict. Section 1 of chapter 149 still contemplates that others besides the state board of examiners have authority to let contracts for the construction of buildings. Its provisions are directed not only to the board of examiners but to "any offices, departments, institutions, or any agent of the State of Montana acting for or in behalf of said State."

It is therefore my opinion that the fish and game commission has authority to let contracts for the construction of buildings and that this

power is not vested by chapter 149 of the laws of 1927 exclusively in the board of examiners.

Very truly yours,

L. A. FOOT,

Attorney General.