

Elections, Ballot for Constitutional Amendments, Etc. Ballots, Form of Separate.

Constitutional amendments or questions of submitting bond issues must be on separate ballots and must have perforated stubs and otherwise comply with Section 545, Revised Statutes.

Helena, Montana, October 19, 1908.

Hon. W. L. Ford,
County Attorney,
White Sulphur Springs, Montana.

Dear Sir:—

Your letter of the 16th inst. received, in which you inquire if it is necessary for a constitutional amendment and a question of issuing state bonds to be printed on separate ballots. You are advised that separate ballots should be used for each of these questions.

Section 2 of Chapter 123, Laws 1907, sets out in quotation marks what should be printed upon the ballots in submitting that constitutional amendment, and Section 2 of Chapter 154, Laws of 1907, sets out in quotation marks what should be printed on the ballots submitting that constitutional amendment, and Section 8 of Chapter 58, Laws 1907, sets out what should be printed on the ballot submitting the question of issuing state bonds, with the exception of the filling in of the blank space before the word "dollars."

In this blank space there should be inserted the following words: "Not exceeding \$500,000.00."

The secretary of state took this matter up with us some time ago and we advised him thereon, and he said that he would send the instructions to the county clerk of each county, which I presume he has done. Of course the ballot should have a square in front of the affirmative and negative of the question submitted so that the voter can place an "X" for or against the question. It should also have a perforated stub attached to the ballot in accordance with the provisions of Section 1354, as amended by Chapter 88, Laws 1907.

We herewith enclose you a copy of an opinion given to the board of county commissioners at Virginia City on September 29th, 1908, which has some bearing upon the question discussed above.

Very truly yours,

ALBERT J. GALEN,
Attorney General.