

**Elections, City or Town. City or Town Elections, Printing. Registration Lists, Printing of Not County Charge. County Printing, Certain Registration Lists Not.**

The printing of register lists for city or town elections under the provisions of Sec. 24, Chap. 74, Session Laws of the Thirteenth Legislative Assembly, is not within the term "county printing," as that term is defined by Sec. 2897, Revised Codes.

March 28th, 1914.

Hon. Frank Foster,  
County Clerk,  
Thompson Falls, Montana.

Dear Sir:

I am in receipt of your communication under date of the 21st instant, requesting my opinion as to whether

"The lists of registered voters for city or town elections, as provided for in Sec. 24, Chap. 74, of the Session Laws of

1913, can properly be considered as being a part of the county printing and subject to the contract for such printing?"

The provisions of the code in regard to county printing are found in Sec. 2894, Subdiv. 20, Revised Codes of Montana, 1907, which is as follows:

"The board of county commissioners has jurisdiction and power under such limitations and restrictions as are prescribed by law, to contract for the county printing and provide books and stationery for county offices,"

And Sec. 2897, which is in part as follows:

"It is hereby made the duty of the county commissioners of the several counties of the State of Montana to contract with some newspaper of general circulation, published within the county, six months immediately preceding the awarding of such contract, to do and perform all the printing for which said counties may be chargeable."

Sec. 24 of Chap. 74 of the Session Laws of the Thirteenth Legislative Assembly, provides in part that:

"The expense of printing such list shall be paid by the said county, city, town or school district in which the election is to be held."

From that portion of Sec. 2897 above quoted it will be seen that the county commissioners are authorized, and it is made their duty to contract for all printing "for which said counties may be chargeable," and Sec. 24 of Chap. 74, Session Laws of the Thirteenth Legislative Assembly, specifically provides that the printing of the lists of voters shall be a charge against the political subdivision or municipality in which the election is held. The county, therefore, is not chargeable with the cost of printing lists of registered voters for city or town elections; such printing, therefore, does not come within the provisions of Sec. 2897.

You are, therefore, advised that the printing of lists of registered voters for city or town elections, under the provisions of Sec. 24, Chap. 74, Session Laws of the Thirteenth Legislative Assembly, does not come within the term "county printing" for which the county commissioners contract under Sec. 2897, Revised Codes.

Yours very truly,

D. M. KELLY,  
Attorney General.