

**Justices of Supreme Court—Nominating Petitions—Fees—Offices.**

The fee to be charged for filing the nominating petition for the office of justice of the supreme court is 1% of the total salary attached to the office, or 1% of \$7,500.

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

November 26, 1927.

My dear Mr. Powers:

You have requested my opinion on the following question:

“Section 640, R. C. M. 1921, as amended by chapter 125, laws of 1927, fixes the fees to be paid by candidates for nomination at one per cent of the annual salary being charged for all officers who receive more than \$1,000 per annum. What charge should be made for filing the nominating petitions for justices of the supreme court who receive a salary of \$6,000, and an additional amount of \$1,500 for reporting the decisions of the supreme court?”

Section 640, *supra*, provides in part “for any office with a salary attached of more than one thousand dollars (\$1,000.00) per annum, one per cent (1%) of total amount of annual salary.”

Inasmuch as no special office of reporter of the supreme court decisions was created, but this duty was added to the duties of the justices of the supreme court, it is evident that the additional salary allowed for this work is part of the annual salary attached to the office of justice of the supreme court; and it is therefore my opinion that the fee to be charged for filing the nominating petition for that office is one per cent of the total salary attached to the office, or one per cent of \$7,500.

Very truly yours,

L. A. FOOT,  
Attorney General.