

Opinion No. 340.**Elections—Initiative and Referendum
—Constitutional Amendments
—Ballots.**

HELD: Initiative or referendum measures and constitutional amendments should be printed upon the official ballot unless the Act of the legislature submitting the constitutional amendment provides therein that separate ballots shall be provided.

August 11, 1936.

Mr. H. E. Herrick
Deputy County Attorney
Miles City, Montana

You have asked my opinion as to whether initiative or referendum measures and constitutional amendments and proposed constitutional amendments should be printed upon the official ballot or upon a separate ballot.

It seems to be the plain mandate of Section 103, R. C. M. 1935, that they should be printed upon the official ballot. Where, however, the act of the legislature submitting the constitutional amendment to the electors provides therein that separate ballots shall be provided, as does Chapter 172, Laws of 1935, relating to the hours of labor, it is my opinion that separate ballots should be used. In such case the special law would prevail over the general law to the extent of the conflict between the two.