SENATE BILL NO. 35

INTRODUCED BY WEEDING

IN THE SENATE

DECEMBER 31, 1990

JANUARY 7, 1991

JANUARY 11, 1991

JANUARY 12, 1991

JANUARY 14, 1991

JANUARY 15, 1991

JANUARY 15, 1991

JANUARY 16, 1991

JANUARY 25, 1991

JANUARY 26, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.

FIRST READING.

COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

POSTED ON CONSENT CALENDAR.

CONSENT CALENDAR, QUESTIONS AND ANSWERS.

PRINTING REPORT.

THIRD READING, PASSED. AYES, 50; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.

FIRST READING.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 89; NOES, 6.

RETURNED TO SENATE.

IN THE SENATE

JANUARY 29, 1991

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

SB 0035/01

SB	0035/	01
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1	SENATE BILL NO. 35	1	(d) when requested by a weed district pursuant to
2	INTRODUCED BY WEEDING	2	7-22-2103, act as counsel, without fee <u>; and</u>
3		3	(e) when requested by a county hospital board pursuant
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE	4	to 7-34-2115, act as counsel, without fee, unless the legal
5	COUNTY ATTORNEY IS THE LEGAL ADVISER TO A HOSPITAL DISTRICT;	5	action requested involves the county commissioners."
6	AND AMENDING SECTIONS 7-4-2711 AND 7-34-2115, MCA."	6	Section 2. Section 7-34-2115, MCA, is amended to read:
7		7	"7-34-2115. District to be governed by elected trustees
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	8	legal assistance. (1) Said A hospital district shall must
9	Section 1. Section 7-4-2711, MCA, is amended to read:	9	be governed and managed by a board of three or five
10	"7-4-2711. County attorney to be legal adviser of	10	trustees, elected by the registered electors residing in the
11	county and other subdivisions. (1) The county attorney is	11	district. The number of trustees on the board and, if the
12	the legal adviser of the board of county commissioners. He	12	number is set at five, the initial terms of two trustees
13	must attend their meetings when required and must attend and	13	shall must be fixed by the bylaws of the district.
14	oppose all claims and accounts against the county which are	14	(2) The trustees must be elected from among the
15	unjust or illegal. He must defend all suits brought against	15	registered electors qualified to vote at general elections
16	his county.	16	within said the district.
17	(2) The county attorney must:	17	(3) The trustees may call upon the county attorney for
18	(a) give, when required and without fee, his opinion in	18	legal advice and services as they may require."
19	writing to the county, district, and township officers on		-End-
20	matters relating to the duties of their respective offices;		
21	(b) act as counsel, without fee, for fire districts in		
22	unincorporated territories, towns, or villages within his		
23	county;		
24	(c) when requested by a conservation district pursuant		
25	to 76-15-319, act as counsel, without fee; and		
	Montana Legislative Council		-2- INTRODUCED BILL SB35



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	٨		-2-
	Chiontana Legislative Council		SB 35

CONSENT CALENDAR

52nd Legislature

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23

county:

SB 0035/02

SENATE BILL NO. 35 2 INTRODUCED BY WEEDING 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE 5 COUNTY ATTORNEY IS THE LEGAL ADVISER TO A HOSPITAL DISTRICT: б AND AMENDING SECTIONS 7-4-2711 AND 7-34-2115, MCA." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 7-4-2711, MCA, is amended to read: 10 *7-4-2711. County attorney to be legal adviser of 11 county and other subdivisions. (1) The county attorney is 12 the legal adviser of the board of county commissioners. He 13 must attend their meetings when required and must attend and 14 oppose all claims and accounts against the county which are 15 unjust or illegal. He must defend all suits brought against 16 his county. 17 (2) The county attorney must:

18 (a) give, when required and without fee, his opinion in 19 writing to the county, district, and township officers on 20 matters relating to the duties of their respective offices; 21 (b) act as counsel, without fee, for fire districts in 22 unincorporated territories, towns, or villages within his

24 (c) when requested by a conservation district pursuant 25 to 76-15-319, act as counsel, without fee; and



SB 0035/02

(d) when requested by a weed district pursuant to 1 2 7-22-2103, act as counsel, without fee; and 3 (e) when requested by a county hospital board pursuant 4 to 7-34-2115, act as counsel, without fee, unless the legal 5 action requested involves the county commissioners." Section 2. Section 7-34-2115, MCA, is amended to read: 6 7 "7-34-2115. District to be governed by elected trustees 8 -- legal assistance. (1) Said A hospital district shall must 9 be governed and managed by a board of three or five 10 trustees, elected by the registered electors residing in the 11 district. The number of trustees on the board and, if the 12 number is set at five, the initial terms of two trustees 13 shall must be fixed by the bylaws of the district. 14 (2) The trustees must be elected from among the

15 registered electors qualified to vote at general elections 16 within said the district.

- 17 (3) The trustees may call upon the county attorney for
- 18 legal advice and services as they may require."

-End-

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REFERENCE BILL. SB 35