

County Budget—County Treasurer—Official Bonds—Premiums.

The premium for the official bond of the county treasurer is a mandatory expenditure required by law within the meaning of the budget act, and where provision has not been made

in the budget for the payment of the premium warrant may be issued therefor under the provisions of the second paragraph of section 6 of the budget act.

Mr. Grant Bakewell,
County Attorney,
Plentywood, Montana.

March 11, 1931.

My dear Mr. Bakewell:

You have sent me a copy of proposed resolutions relative to making provision in the budget for the payment of a premium on the official bond of the county treasurer of Sheridan county.

In my opinion, the payment of this premium is a mandatory expenditure required by law within the meaning of the second paragraph of section 6 of chapter 148, laws of 1929, as the law requires the premium to be paid by the county if a surety bond is given by the county treasurer. This being so, the procedure provided in such cases in said second paragraph of said section 6 should be followed rather than the one contemplated by you, which is based upon the public emergency clause found in the first paragraph of said section 6.

Very truly yours,

L. A. FOOT,
Attorney General.