

HOUSE BILL NO. 399

INTRODUCED BY HARPER, TEAGUE, HARRINGTON

IN THE HOUSE

January 24, 1979	Introduced and referred to Committee on Local Government.
February 15, 1979	Committee recommend bill do pass. Report adopted.
February 16, 1979	Second reading, do pass.
February 17, 1979	Considered correctly engrossed.
February 19, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

February 20, 1979	Introduced and referred to Committee on Local Government.
March 14, 1979	Committee recommend bill be concurred in. Report adopted.
March 15, 1979	Second reading, concurred in.
March 17, 1979	Third reading, concurred in.

IN THE HOUSE

March 19, 1979	Returned from second house. Concurred in. Sent to enrolling.  Reported correctly enrolled.
----------------	---

1  
2 INTRODUCED BY HOUSE BILL NO. 399  
3 Hayer League Harrington

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE BOARD  
5 OF COUNTY COMMISSIONERS TO ESTABLISH COMPENSATION FOR  
6 CORONERS; AMENDING SECTIONS 7-4-2501, 7-4-2902, AND  
7 7-4-2911, MCA; AND REPEALING SECTIONS 7-4-2921 AND 7-4-2922,  
8 MCA."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Salary of coroner. The  
12 coroner is entitled to receive a salary established prior to  
13 July 1 of each year by the board of county commissioners.  
14 The salary must be in effect upon the first day of each  
15 ensuing fiscal year.

16 Section 2. Section 7-4-2501, MCA, is amended to read:  
17 "7-4-2501. Compensation of county officers. (1) The  
18 county surveyor, coroner, public administrator, justice of  
19 the peace, and constable may collect and receive for their  
20 own use, respectively, for official services, the fees and  
21 emoluments prescribed in this chapter.

22 (2) All other county officers receive salaries."

23 Section 3. Section 7-4-2902, MCA, is amended to read:

24 "7-4-2902. Justice of peace to act as coroner in  
25 certain cases. (1) If the office of coroner is vacant or he

1 is absent or unable to attend, the duties of his office may  
2 be discharged by any justice of the peace of the county with  
3 the like authority and subject to the same obligations and  
4 penalties as the coroner.

5 (2) A justice of the peace acting as coroner is  
6 allowed the same fees salary as the coroner ~~and no more for~~  
7 that portion of time he actually spends discharging the  
8 duties of coroner."

9 Section 4. Section 7-4-2911, MCA, is amended to read:

10 "7-4-2911. Duties of county coroner. (1) The coroner  
11 must hold inquests as provided in Title 46, chapter 4, parts  
12 1 and 2.

13 (2) In the cases specified in 25-3-205, the coroner  
14 must discharge the duties of sheriff. If acting as sheriff,  
15 the coroner is allowed the same fees salary as sheriff or  
16 the same fees as constable for like services.

17 (3) When a prisoner confined in the state prison dies,  
18 the coroner of the county wherein the state prison is  
19 located may hold an inquest as provided in Title 46, chapter  
20 4, parts 1 and 2."

21 Section 5. Repealer. Sections 7-4-2921 and 7-4-2922,  
22 MCA, are repealed.

-End-

H B 399  
INTRODUCED BILL

1 HOUSE BILL NO. 399  
 2 INTRODUCED BY Harper Eugene Harrington  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE BOARD  
 5 OF COUNTY COMMISSIONERS TO ESTABLISH COMPENSATION FOR  
 6 CORONERS; AMENDING SECTIONS 7-4-2501, 7-4-2902, AND  
 7 7-4-2911, MCA; AND REPEALING SECTIONS 7-4-2921 AND 7-4-2922,  
 8 MCA."

9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Salary of coroner. The  
 12 coroner is entitled to receive a salary established prior to  
 13 July 1 of each year by the board of county commissioners.  
 14 The salary must be in effect upon the first day of each  
 15 ensuing fiscal year.

16 Section 2. Section 7-4-2501, MCA, is amended to read:

17 "7-4-2501. Compensation of county officers. (1) The  
 18 county surveyor, coroner, public administrator, justice of  
 19 the peace, and constable may collect and receive for their  
 20 own use, respectively, for official services, the fees and  
 21 emoluments prescribed in this chapter.

22 (2) All other county officers receive salaries."

23 Section 3. Section 7-4-2902, MCA, is amended to read:

24 "7-4-2902. Justice of peace to act as coroner in  
 25 certain cases. (1) If the office of coroner is vacant or he

1 is absent or unable to attend, the duties of his office may  
 2 be discharged by any justice of the peace of the county with  
 3 the like authority and subject to the same obligations and  
 4 penalties as the coroner.

5 (2) A justice of the peace acting as coroner is  
 6 allowed the same fees salary as the coroner ~~and no more for~~  
 7 that portion of time he actually spends discharging the  
 8 duties of coroner."

9 Section 4. Section 7-4-2911, MCA, is amended to read:

10 "7-4-2911. Duties of county coroner. (1) The coroner  
 11 must hold inquests as provided in Title 46, chapter 4, parts  
 12 1 and 2.

13 (2) In the cases specified in 25-3-205, the coroner  
 14 must discharge the duties of sheriff. If acting as sheriff,  
 15 the coroner is allowed the same fees salary as sheriff or  
 16 the same fees as constable for like services.

17 (3) When a prisoner confined in the state prison dies,  
 18 the coroner of the county wherein the state prison is  
 19 located may hold an inquest as provided in Title 46, chapter  
 20 4, parts 1 and 2."

21 Section 5. Repealer. Sections 7-4-2921 and 7-4-2922,  
 22 MCA, are repealed.

-End-

## 1 HOUSE BILL NO. 399

2 INTRODUCED BY HARPER, TEAGUE, HARRINGTON

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE BOARD  
5 OF COUNTY COMMISSIONERS TO ESTABLISH COMPENSATION FOR  
6 CORONERS; AMENDING SECTIONS 7-4-2501, 7-4-2902, AND  
7 7-4-2911, MCA; AND REPEALING SECTIONS 7-4-2921 AND 7-4-2922,  
8 MCA."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Salary of coroner. The  
12 coroner is entitled to receive a salary established prior to  
13 July 1 of each year by the board of county commissioners.  
14 The salary must be in effect upon the first day of each  
15 ensuing fiscal year.

16 Section 2. Section 7-4-2501, MCA, is amended to read:

17 "7-4-2501. Compensation of county officers. (1) The  
18 county surveyor, coroner, public administrator, justice of  
19 the peace, and constable may collect and receive for their  
20 own use, respectively, for official services, the fees and  
21 emoluments prescribed in this chapter.

22 (2) All other county officers receive salaries."

23 Section 3. Section 7-4-2902, MCA, is amended to read:

24 "7-4-2902. Justice of peace to act as coroner in  
25 certain cases. (1) If the office of coroner is vacant or he

1 is absent or unable to attend, the duties of his office may  
2 be discharged by any justice of the peace of the county with  
3 the like authority and subject to the same obligations and  
4 penalties as the coroner.

5 (2) A justice of the peace acting as coroner is  
6 allowed the same fees salary as the coroner ~~and no more for~~  
7 ~~that portion of time he actually spends discharging the~~  
8 ~~duties of coroner."~~

9 Section 4. Section 7-4-2911, MCA, is amended to read:

10 "7-4-2911. Duties of county coroner. (1) The coroner  
11 must hold inquests as provided in Title 46, chapter 4, parts  
12 1 and 2.

13 (2) In the cases specified in 25-3-205, the coroner  
14 must discharge the duties of sheriff. If acting as sheriff,  
15 the coroner is allowed the same fees salary as sheriff or  
16 ~~the same fees as~~ constable for like services.

17 (3) When a prisoner confined in the state prison dies,  
18 the coroner of the county wherein the state prison is  
19 located may hold an inquest as provided in Title 46, chapter  
20 4, parts 1 and 2."

21 Section 5. Repealer. Sections 7-4-2921 and 7-4-2922,  
22 MCA, are repealed.

-End-