

SENATE BILL NO. 461

INTRODUCED BY S. BROWN, VAN VALKENBURG

IN THE SENATE

February 12, 1979	Introduced and referred to Committee on Fish and Game.
February 17, 1979	Committee recommend bill do pass. Report adopted.
February 19, 1979	Printed and placed on members' desks.
February 20, 1979	Second reading, do pass.
February 21, 1979	Considered correctly engrossed.
February 22, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 23, 1979	Introduced and referred to Committee on Judiciary.
March 15, 1979	Committee recommend bill be concurred in. Report adopted.
March 16, 1979	Second reading, concurred in.
March 19, 1979	Third reading, concurred in.

IN THE SENATE

March 20, 1979	Returned from second house. Concurred in. Sent to enrolling.  Reported correctly enrolled.
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*Asst* BILL NO. *461*  
*J. Brown Van Valkenburg*  
INTRODUCED BY \_\_\_\_\_

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE APPOINTMENT PROCEDURES AND DUTIES FOR CITY ATTORNEYS; AMENDING SECTIONS 7-4-4201, 7-4-4602, 7-4-4604, AND 7-4-4605, MCA."

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

Section 1. Section 7-4-4201, MCA, is amended to read:

"7-4-4201. Salary of officers. (1) The council must by ordinance fix the salaries and compensation of the city officers, policemen, and other employees, which must not exceed the amount specified in this code.

(2) The salary and compensation of an officer must not be increased or diminished during his term of office, except as provided in 7-4-4605.

(3) The maximum annual salary of a mayor must be fixed by ordinance in all classes of cities.

(4) The annual salary and compensation of the treasurer must be fixed by ordinance and must be for all services rendered by such treasurer in any capacity.

(5) The annual salary and compensation of the city attorney must be fixed by ordinance, except as provided in 7-4-4605.

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(6) The annual salary and compensation of the city clerk must be fixed by ordinance.

(7) The compensation of the street commissioner, chief of the fire department, city surveyor, and other city officers not provided in this code may be prescribed by ordinance."

Section 2. Section 7-4-4602, MCA, is amended to read:

"7-4-4602. Appointment -- Term term of office. (1) The city attorney must be appointed by the mayor, subject to approval by the city council.

(2) The city attorney shall hold his office for 2 years unless suspended or removed as provided by law."

Section 3. Section 7-4-4604, MCA, is amended to read:

"7-4-4604. Duties. It shall be the duty of the city attorney to attend before the city court and other courts of the city and the district court and prosecute on behalf of the city. ~~He shall generally do and perform such other acts as pertain to the office of the city or corporation council.~~ He shall, when required, draw, for the use of the council, contracts and ordinances for the government of the city and, when required, give to the mayor or city council written opinions on questions pertaining to the duties and the rights, liabilities, and powers of the corporation. He shall perform such other duties as pertain to the functions of the city council or as the city council may prescribe by

1 resolution."

2 Section 4. Section 7-4-4605, MCA, is amended to read:

3 "7-4-4605. Employment of special or additional  
4 counsel. Nothing in this part shall be taken or construed as  
5 preventing the city council from employing other--and  
6 additional--counsel in special cases and--providing--for--the  
7 payment--of--such--services on a contract basis:

8 (1) the city attorney to perform services not  
9 specifically provided for under 7-4-4604; or

10 (2) additional or other counsel."

-End-

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*Agate* BILL NO. *461*  
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16 be increased or diminished during his term of office, except  
17 as provided in 7-4-4605.

18 (3) The maximum annual salary of a mayor must be fixed  
19 by ordinance in all classes of cities.

20 (4) The annual salary and compensation of the  
21 treasurer must be fixed by ordinance and must be for all  
22 services rendered by such treasurer in any capacity.

23 (5) The annual salary and compensation of the city  
24 attorney must be fixed by ordinance, except as provided in  
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7 ~~payment of such services on a contract basis:~~

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