

HOUSE BILL NO. 160
INTRODUCED BY STEPPLER, SCHYE, GRADY

IN THE HOUSE

JANUARY 13, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
JANUARY 14, 1989	FIRST READING.
JANUARY 25, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 26, 1989	PRINTING REPORT.
JANUARY 28, 1989	SECOND READING, DO PASS.
JANUARY 30, 1989	ENGROSSING REPORT.
JANUARY 31, 1989	THIRD READING, PASSED. AYES, 96; NOES, 1.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 2, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION.
	FIRST READING.
FEBRUARY 13, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
FEBRUARY 14, 1989	POSTED ON CONSENT CALENDAR.
FEBRUARY 15, 1989	CONSENT CALENDAR, QUESTIONS AND ANSWERS.
	THIRD READING, CONCURRED IN. AYES, 50; NOES, 0.
	RETURNED TO HOUSE.

FEBRUARY 27, 1989

IN THE HOUSE

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 160
2 INTRODUCED BY Stephens Selva Brady
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE
5 COUNTY ATTORNEY IS THE LEGAL ADVISER TO A COUNTY WEED
6 DISTRICT; AND AMENDING SECTIONS 7-4-2711 AND 7-22-2103,
7 MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 7-4-2711, MCA, is amended to read:

11 "7-4-2711. County attorney to be legal adviser adviser
12 of county and other subdivisions. (1) The county attorney is
13 the legal adviser of the board of county commissioners. He
14 must attend their meetings when required and must attend and
15 oppose all claims and accounts against the county which are
16 unjust or illegal. He must defend all suits brought against
17 his county.

18 (2) The county attorney must:

19 (a) give, when required and without fee, his opinion
20 in writing to the county, district, and township officers on
21 matters relating to the duties of their respective offices;

22 (b) act as counsel, without fee, for fire districts in
23 unincorporated territories, towns, or villages within his
24 county;

25 (c) when requested by a conservation district pursuant

1 to 76-15-319, act as counsel, without fee; and

2 (d) when requested by a weed district pursuant to
3 7-22-2103, act as counsel, without fee."

4 **Section 2.** Section 7-22-2103, MCA, is amended to read:

5 "7-22-2103. District weed board. (1) The commissioners
6 shall appoint a district weed board consisting of three or
7 five members, and:

8 (a) if a three-member board, two members shall be
9 rural agricultural landowners within the district and one
10 shall be a member-at-large; or

11 (b) if a five-member board, three members shall be
12 rural agricultural landowners within the district, one
13 member shall be a resident of a city or town within the
14 district, and one shall be a member-at-large.

15 (2) The county extension agent in each county and
16 other interested individuals may be appointed to serve as
17 nonvoting members of that district's weed board.

18 (3) The board members are public officers.

19 (4) The board may call upon the county attorney for
20 legal advice and services as it may require."

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB160, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled, "An act to provide that the County Attorney is the legal adviser to a county weed district; and amending sections 7-4-2711 and 7-22-2103, MCA".

FISCAL IMPACT:

The fiscal impact related to this legislation is impossible to determine.

Ray Shackleford 1/20/89
RAY SHACKLEFORD, BUDGET DIRECTOR DATE
OFFICE OF BUDGET AND PROGRAM PLANNING

Don Stepler 1/23/89
DON STEPLER, PRIMARY SPONSOR DATE
Fiscal Note for HB160, as introduced
HB 160

APPROVED BY COMM.
ON LOCAL GOVERNMENT

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16 other interested individuals may be appointed to serve as
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(b) if a five-member board, three members shall be rural agricultural landowners within the district, one member shall be a resident of a city or town within the district, and one shall be a member-at-large.

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-End-

REFERENCE BILL
CONSENT CALENDAR HB 160