

1. No statutory authority for county court to contract for two years county printing.
2. Can appropriate funds and employ county nurse on certain conditions.
3. Can appropriate for County Farm Bureau on certain conditions.

December 15, 1934.



Mr. Homer G. Chaffin,
Prosecuting Attorney Webster County,
Marshfield, Missouri.

Dear Sir:-

We have your letter of November 21, 1934, requesting an opinion as follows:

"I am herewith submitting three questions on which I would like to have a legal opinion:

(1) Can the present County Court of my county, before January 1, 1935, contract for the next two years' county printing?

(2) Can they appropriate funds and employ a county nurse?

(3) Can they make the usual statutory appropriation for two years or more for the County Farm Bureau.

I am making these inquiries at the request of my county court and would appreciate receiving this opinion on or before December 1, 1934."

We regret that due to the pressure of work in this office we have been unable to answer your inquiry before this date.

Article VI, Section 36, of the Constitution of Missouri provides that county courts shall transact all county and such other business as shall be prescribed by law, that is, by act of the legislature. A careful examination of the statutes of Missouri discloses to us no authority granted to the county court to make a contract for county printing for two years.

Homer G. Chaffin--#2

Dec. 15th, 1934.

The County Budget Law, Laws 1933, page 340, which embraces generally the provisions for expenditures and appropriations by counties, at page 350 and 351, seems to provide for the contracting for supplies and services not of a personal nature (among which printing should be included) only as such things are needed.

With reference to the appropriating of funds for the employment of a county nurse and for the County Farm Bureau, such appropriations can be made under certain conditions by the present county court unless the terms of any of the judges are due to expire at the end of this year.

In this connection, we refer you to Section 14 of the County Budget Law, Laws 1933, page 348-9, which provides in part as follows:

"In any year in which the terms of any of the judges of the county court expire, the budget shall be approved and the appropriation order made by the new court within thirty days after the beginning of the fiscal year."

If the terms of none of your county judges are expiring, the county nurse may be employed and paid under sections 9036, 9038 or 9039, Revised Statutes of Missouri, 1929. With reference to the County Farm Bureau appropriation, subject to the same condition, the enabling sections are sections 12616 to 12623, inc., Revised Statutes of Missouri, 1929.

Very truly yours,

CHARLES M. HOWELL, Jr.
Assistant Attorney-General.

CMHjr-MB

APPROVED:

Attorney-General