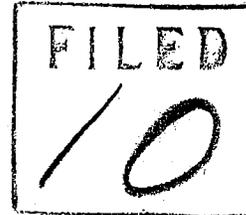


CIRCUIT CLERK AND RECORDER
FOURTH CLASS COUNTY
COMPENSATION:

The circuit clerk and recorder of a fourth class county with a population of between 7,500 and 10,000 and with an assessed valuation of between five and six million dollars is entitled to receive an annual salary of \$2,850.00. Section 483.367, V.A.M.S., which section was repealed by the laws of 1953, has not been re-enacted.

February 5, 1959

Honorable Paul Boone
Prosecuting Attorney
Ozark County
Gainesville, Missouri



Dear Sir:

Your recent request for an official opinion reads:

"Will you give us the proper calculation of the salary of the Circuit Clerk and Recorder of a fourth class county, population between 7,500 and 10,000, with assessed valuation between five and six million dollars.

"Has section 483.367 repealed by laws of 1953, page 403 been reenacted, or a new section in lieu of this section been enacted?"

In numbered paragraph (2) of Section 483.370, RSMo 1949, I note that the compensation of a circuit clerk and recorder in counties of the fourth class having a population of 7,500 and less than 10,000 the salary shall be \$1,500.

In Section 483.375, subparagraph (b), I note that the circuit clerk and recorder in counties of your size is to receive the sum of \$200.00 as compensation for services as clerk of the juvenile division.

I also note in numbered paragraph (2) of the above section that for his services as member of the board of jury commissioners and as ex officio clerk of the board of jury commissioners the circuit clerk and recorder is to receive the sum of \$150.00.

In Section 483.371, Missouri Revised Statutes Cumulative Supplement 1957, I note that the circuit clerk and recorder is to receive the sum of \$300.00 annually for keeping a list of veterans and furnishing discharge copies.

Honorable Paul Boone

I note that Section 483.377 provides compensation for furnishing information to the county assessor and that in counties where the assessed valuation is more than five million dollars that the amount of this compensation is \$700.00.

I also note that the assessed valuation of Ozark County is in excess of five million dollars. This would make a total of \$2,850.00 which we believe to be the amount of compensation to which the circuit clerk and recorder in counties of your class of your size and valuation is entitled.

I note that your second question which is whether Section 483.367 which was repealed by the Laws of 1953 has been re-enacted or a new section enacted in lieu thereof. We do not find that such is the case.

CONCLUSION

It is the opinion of this department that the circuit clerk and recorder of a fourth class county with a population of between 7,500 and 10,000 and with an assessed valuation of between five and six million dollars is entitled to receive an annual salary of \$2,850.00.

It is the further opinion of this department that Section 483.367, V.A.M.S., which section was repealed by the Laws of 1953, has not been re-enacted.

The foregoing opinion, which I hereby approve, was prepared by my assistant, Hugh P. Williamson.

Very truly yours,

John M. Dalton
Attorney General

HPW:hw