

May 10, 1965



Honorable Bill Crigler
State Representative
Howard County
Capitol Building - Room 406
Jefferson City, Missouri

Dear Mr. Crigler:

You have asked a number of questions which we will attempt to answer as follows:

1. Question: "State Tax Commission held County Assessors must value Real Estate sold at 30% of selling price. On property sales where revenue stamps are affixed this is easy done but revenue stamps are not affixed in every case. What does Assessor do where revenue stamps are not affixed?"

Answer: Attached hereto is copy of Attorney General's Opinion dated February 28, 1957, to Arthur B. Cohn, also copy of Opinion No. 233 dated July 17, 1964, to William H. Bruce, Jr.

2. Question: "County Clerk is paid under Section 50.800 paragraph 2 for making Financial Statement, up to thirty cents for every hundred words and figures. What is a figure? Is \$125,454.00 one figure or eight?"

Answer: We are advised that the policy of the State Auditor is to count each digit in determining the rate of pay.

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3. Question: "Section 205.200, Special Tax Levy for County Hospital Maintenance. Does County Court have to set tax rate at amount certified by board of trustees or does County Court have power to use their own judgment?"

Answer: Attached hereto find copy of Attorney General's Opinion dated April 14, 1953, to Leon McNally, also find copy of Opinion No. 44 dated April 19, 1965, to Lewis B. Hoff.

4. Question: "County Hospital Board of Trustees have purchased Bonds with excess money. Who should keep receipts for those bonds for safekeeping?"

Answer: The County Hospital Board is without power to purchase bonds. See attached Opinion dated June 27, 1950, to Wilson D. Hill.

5. Question: "Section 205.200. Can funds arising from maintenance tax levy be transferred to construction fund and be used to pay for construction of Hospital?"

Answer: See Attorney General's Opinion No. 44 dated April 19, 1965, to Lewis B. Hoff, attached.

6. Question: "Section 205.200. Can funds arising from maintenance tax levy be used in building a new wing to said Hospital?"

Answer: Also see Opinion No. 44 dated April 19, 1965, to Lewis B. Hoff.

7. Question: "Section 205.190 RS Mo 1963 paragraph 4, the Hospital Board may once each month present to the County Court a single voucher etc.. Should the Hospital Board present to County Court an itemized list of how money is to be disbursed? For example, Joe Blow, Salary, 715.00, Jane Blow, salary, 415.00, Smith Hospital Supply Co., Bandages, 810.00?"

Answer: Herewith attached is Opinion No. 240 dated September 3, 1963, to Clyde E. Rogers which answers this inquiry.

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8. Question: "Section 205.190 RS Mo 1963 provides for Bonding of Superintendent of Hospital. Where is Bond filed?"

Answer: With the Secretary of the Board or where other papers of the Board are kept.

9. Question: "Funds arising from Special Road and Bridge Tax, 35 cents on the \$100 assessed valuation is divided, 80% to Special Road District and 20% to County. Can County Court make a special grant to Special Road Districts once each year out of their 20% of such tax? We have four Special Road Districts, Can we give them each check for \$1000.00?"

Answer: Attached hereto is copy of Attorney General's Opinion dated March 1, 1948 to Walter Whinrey, which I believe answers this inquiry.

10. Question: "County Hospital was built by Bonding the County. Bond Tax rate set at 16 cents per \$100 assessed valuation. That fund now has an excess of money. Can County Court invest the excess in Government securit(i)es? Would you advise investing the excess or would you advise lowering the tax rate?"

Answer: Attached hereto is copy of Attorney General's Opinion No. 177 dated December 20, 1963, to Robert B. Mackey, which I believe answers this question.

11. Question: "The first six months of year the County has excess money in County Revenue fund. Can County Court invest the excess in short term U. S. Government securities?"

Answer: See attached Opinion No. 177 dated December 20, 1963, to Robert B. Mackey.

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12. Question: "Our Howard County Hospital has been in operation since January 1, 1963. I as Howard County Treasurer, have not been invited to attend a board meeting. In RS Mo 1959 Sec 205.190 item 2- should I receive this single voucher mentioned in the preceding item 8 of this paper as treasurer of the Board of Trustees and pay out bills as authorized by the board?"

Answer: Also see copy of attached Opinion No. 240 dated September 3, 1963, to Clyde E. Rogers, referred to above.

13. Question: "There was an opinion concerning County Traesurers office hours handed down in Cooper County a few years ago. May I have a copy of this opinion?"

Answer: Attached hereto is copy of Attorney General's Opinion dated September 23, 1959, to Phil Hauck, which I believe is the opinion to which you refer.

Yours very truly,

NORMAN H. ANDERSON
Attorney General

Enclosures