



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

February 11, 1975

Opinion No. 75- 51

The Honorable Mary Lou Wheeler
Probate Judge of Rush County
Rush County Courthouse
LaCrosse, Kansas 67548

Dear Judge Wheeler:

As the recently elected Probate Judge of Rush County, you advise that some disagreement has arisen between yourself and the board of county commissioners regarding the need for a suitable chair to work at the desk. K.S.A. 19-225 provides in pertinent part thus:

"The boards of commissioners of their respective counties shall . . . also provide suitable books and stationery for the use of each of the county officers of their county, together with appropriate cases and other furniture for the safe and convenient keeping of all the books, documents and papers belonging to each of said officers. . . ."


You inquire whether a chair falls within the equipment enumerated in this statute. Technically, this provision speaks of "appropriate cases and other furniture for the safe and convenient keeping of all the books, documents and papers" A chair is, at least arguably, not furniture for the keeping of books, documents and other records. Even though the statute does not technically apply to such items of furniture, I would advise against your proceeding to order such a piece of furniture without the approval of the board. The board has charge, custody and control of all monies of the county, and must authorize or approve any expenditure thereof, except as any statute

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expressly provides otherwise. Even if a chair were technically within K.S.A. 19-225, it would be necessary that the commissioners authorize the purchase.

I hope this information will assist you in working toward a satisfactory resolution of this disagreement.

Yours very truly,



CURT T. SCHNEIDER
Attorney General

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