COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL
FRANKFORT

JO M. FERGUSON
ATTORNEY GENERAL

December 20, 1956

Hon. J. E. Johnson, III
512 Security Trust Building
Lexington, Kentucky

Dear Sir:

This is in answer to your letter of December 18, 1956, in which you request an opinion as to whether a county attorney is entitled to compensation from the funds of a water district for his services to the district.

KRS 74.030 provides as follows: "The county attorney shall act as counsel to the water commission, except that the commission may, subject to approval of the court, employ counsel whose compensation shall be paid from water district funds."

Since the above quoted statute specifically designates that the county attorney shall represent water districts in his official capacity, it is the conclusion of this office that he is not entitled to extra compensation from the funds of a water district but must perform the duties as a part of his office.

Yours very truly,

JO M. FERGUSON
ATTORNEY GENERAL
By:

David B. Sabree
Assistant Attorney General

DBS:lpr