

SENATE BILL 297:
VOTER REGISTRATION:
REGISTRATION:
REGISTRATION LIST:
VOTERS:
QUALIFIED VOTERS:
ELECTIONS:



The county must bear any expense necessary to carry out Senate Bill No. 297, 68th General Assembly; the county is the interpreter of its effect and applicability; and signature lists prepared in accordance with Section 114.100, RSMo 1949, may still be used to check the signature of voters.

November 14, 1955

Honorable Weber Gilmore
Prosecuting Attorney
Scott County
Sikeston, Missouri

Dear Sir:

This will acknowledge receipt of your request for an opinion of this department, which request reads as follows:

"I suppose by now you and your office are tired of hearing about the above referenced Bill (Senate Bill 297). I note that by your Report and Digest of Opinions several inquiries have come into your office regarding this Bill, but none of them have quite answered all the questions that the County Court of Scott County have asked me.

"As you know, the City of Sikeston comes under the provisions of Senate Bill 297 and consequently comes under the provisions of Chapter 116 R.S.Mo. 1949. Also, as you know, the county seat is at Benton, Missouri.

"I would appreciate it very much if you could give me an opinion as to the following:

"1. In the case of a re-registration of voters in the City of Sikeston, Missouri, wherein said records are utilized by the city in special city elections, as well as by the county and state in other elections:

"a. Who purchases the supplies necessary to accomplish the re-registration, i.e., are there any provisions for the city to contribute?

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"b. Is the city or the county liable for the salaries of these people performing the physical labor at the office of the city clerk? Should this be a responsibility of the city clerk's office when the county clerk's office is not located in that city, i.e., is the county clerk required to hire deputy clerks to work in the city clerk's office to perform this function?

"c. During those periods of time other than when a re-registration program is under way, who is responsible for providing personnel at the city clerk's office to take care of the normal registering of voters moving into the city?

"2. Should a situation occur where the county court did not feel that a re-registration was necessary, but the city officials felt that one was needed, who would be responsible for this re-registration?

"3. Under the provisions of Section 116.130 R.S.Mo. 1949 those voters registered prior to July 1 do not have to re-register. In this case, how are the other provisions of this section complied with which makes it compulsory that the signatures of those voters re-registering, or voting, be checked against the signature cards they are required to sign?

"I would appreciate your opinion at your earliest convenience."

I.

Senate Bill 297 states, in part:

"There shall be a registration of qualified voters under the provisions of this chapter in every city containing at least ten thousand inhabitants located in any county not having a provision for registration of voters. The registration shall be held at the office of the county clerk except in cities in which the county clerk has no office where the registration shall be held in the office of the city clerk who shall be furnished with the necessary supplies.* * *"

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The answers to the questions you raise are not, thus, covered specifically by the bill. It is our view, however, that Senate Bill 297 does not change the previous requirement that the county furnish necessary supplies to handle the registration of voters. Senate Bill 297 was intended only to make uniform the registration procedure in cities where formerly three different chapters governed. Since registration has been left a matter of county control, the county should bear whatever expense is required to handle the task.

II.

In answer to your second question, reregistration under Senate Bill 297 is required only of those voters (registered prior to July 1, 1955) to whom Sections 116.070 and 116.080, RSMo 1949, are applicable. These sections provide, respectively, for the reregistration of persons who change their name or address within the city and the reregistration of voters who did not vote in the previous two general elections. Any conflict of interpretation between county and city officials in this regard should be resolved in favor of the county. Section 116.030, Cum. Supp. 1953, states specifically that "The county clerk of such county shall be in charge of such general registration and all other registrations provided for by this chapter."

III.

In accordance with Section 114.100, RSMo 1949, formerly applicable, Sikeston's Board of Registrars has a permanent record of voters carrying the signature of each individual voter. This record may still be used to check the signature of any voter.

CONCLUSION

It is, therefore, the opinion of this office that the county must bear any expense necessary to carry out Senate Bill 297, 68th General Assembly; that the county is the interpreter of its effect and applicability; and that signature lists prepared in accordance with Section 114.100, RSMo 1949, may still be used to check the signature of voters.

The foregoing opinion, which I hereby approve, was prepared by my assistant, Walker La Brunerie, Jr.

Yours very truly,

John M. Dalton
Attorney General

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