

Answer by letter-Blackmar, A.

July 28, 1970

OPINION LETTER NO. 426

Honorable Marvin L. Dinger
State Representative
District No. 128
Rural Route 1
Ironton, Missouri 63650



Dear Representative Dinger:

This letter is in response to your request for an opinion concerning the boundaries of the 128th District of the House of Representatives and the 149th District of the House of Representatives.

On March 31, 1966, the Reapportionment Commission filed with the Secretary of State a final statement of the numbers and boundaries of the State House Districts. The Commission fixed the boundaries of the 128th District as:

"Dent County except Sinking Township; Iron County and the following area in St. Francois County: Iron Township and all that portion of Randolph Township except the parts of the cities of Desloge, Rivermines and Elvins that lie in Randolph Township." Page 4307, RSMo 1969.

The Commission fixed the boundaries of the 149th District as:

"St. Francois, Perry, Marion and Big River townships, and that portion of the City of Desloge, the City of Rivermines and the City of Elvins that lie in Raldolph [sic] township, all in St. Francois County." Page 4308, RSMo 1969.

The Commission indicated that except for districts lying in Jackson County, St. Louis, and St. Louis County, all boundaries,

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including county boundaries, township boundaries and ward and precinct boundaries are those existing on March 1, 1966, except when otherwise noted. See, State Representative Districts, Revised Statutes of Missouri, 1969, page 4304. Therefore, neither the 128th Legislative District nor the 149th Legislative District is affected by changes in the boundaries of the City of Desloge occurring after March 1, 1966, and references in the description of each district to the City of Desloge are to boundaries of the city on March 1, 1966.

If residents of both the 128th Legislative District and the 149th Legislative District vote at the same polling place, it will be necessary for the election judges to determine from the definition of the boundaries of each district in which district the voter resides and to provide the voter with a ballot listing candidates from his district. Section 111.441, RSMo 1969, requires a person desiring to vote to give his residence, when requested, to the judges of election. With this information the judges will then be able to determine the legislative district in which the voter resides and provide him with the proper ballot.

Yours very truly,

JOHN C. DANFORTH
Attorney General