

July 7, 1971

OPINION LETTER NO. 152
Answer by letter- Romines

Honorable Barnes Griffith
Prosecuting Attorney
Dade County Courthouse
Greenfield, Missouri 65661



Dear Mr. Griffith:

This is in response to your request for an opinion relating to the furnishing of an ambulance service by Dade County under the provisions of Sections 67.300 and 137.065, RSMo 1969. Find enclosed former opinions of this office, Opinion No. 333, Graham, 1968; Opinion No. 254, Bassman, 1969; and Opinion No. 123, Bergbauer, 1969. By reference to these opinions, it can be seen that the county court may pursuant to Section 137.065, RSMo 1969, submit to the voters a proposed increase in county taxes for the establishment and maintenance of an ambulance service authorized by Section 67.300, RSMo 1969. We note, parenthetically, Section 67.300, supra, authorizes the county court to provide for an ambulance service without the use of a special election held pursuant to Section 137.065, supra.

You ask concerning the validity of a petition presented the county court.

Specifically, you question whether petitions presented pursuant to Section 137.065(2), RSMo 1969, must be verified. A reading of that section satisfies us that the petition need not be verified. In a previous opinion of this office, Opinion No. 31, Frick, 1959, copy enclosed, this office held in reference to Section 137.065, that the petition need merely contain the signatures of ten percent or more of the qualified voters and that upon its presentation it is mandatory the election be ordered.

Honorable Barnes Griffith

It is, therefore, our view that a petition presented pursuant to Section 137.065, RSMo 1969, to increase by special election the maximum tax rate of a third class county, need not be verified.

Yours very truly,

JOHN C. DANFORTH
Attorney General

Enclosures: Op. No. 333
7-30-68, Graham

Op. No. 254
8-7-69, Bassman

Op. No. 123
8-7-69, Bergbauer

Op. No. 31
10-8-59, Frick