

September 16, 1971

OPINION LETTER NO. 262
Answer by letter-Wieler

Honorable Donald L. Manford
Senator, District 8
9409 Oakland
Kansas City, Missouri 64138



Dear Senator Manford:

This is in response to your request for an opinion as to whether the board of election commissioners can consolidate precincts for the annual school district election for the Center School District No. 58 when no other political subdivision is involved.

Based upon our correspondence with you, it is our understanding that Center School District No. 58 is a six-director school district located wholly within the city limits of Kansas City, Missouri. This being so, elections in this district are governed by the provisions of Section 162.351, RSMo 1969, which provides that all elections conducted in a six-director school district located wholly within a city having a population of more than two hundred thousand and less than seven hundred thousand shall be conducted by the board of election commissioners of the city wherein such district is located.

Inasmuch as we have been advised that Center School District No. 58 lies wholly within the City of Kansas City, Missouri, all elections within that school district would be conducted by the Kansas City board of election commissioners pursuant to the provisions of Chapter 117, RSMo 1969. Section 117.210, RSMo 1969, in pertinent part, provides:

"In any election other than general and primary elections, state and county, and municipal elections, regular and primary, the board, in its discretion, shall have the power and authority for such election:

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(1) To consolidate two or more precincts within any ward of the city into one voting district, and for each such voting district to designate one set of judges and clerks theretofore appointed and commissioned to serve in the precinct comprising such voting district;"

Therefore, it is our opinion that the Kansas City board of election commissioners can consolidate voting precincts for the annual election in the Center School District No. 58 if no other election were involved.

Yours very truly,

JOHN C. DANFORTH
Attorney General