

FILE

Subject

*City's
Recreation System*

Copy to



STATE OF KANSAS

Office of the Attorney General

State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

VERN MILLER

Attorney General

February 6, 1974

Opinion No. 74- 38

Honorable Wallace M. Buck, Jr.
Representative, Fifty-second District
House of Representatives
State Capitol
Topeka, Kansas 66612

Dear Representative Buck:

You inquire whether K.S.A. 1973 Supp. 12-1914 authorizes the City of Topeka to combine its park department and recreation commission.

We assume that the city recreation commission was established following approval by the voters, pursuant to K.S.A. 12-1904. K.S.A. 1973 Supp. 12-1914 sets forth a procedure whereby any city may combine operation and administration of its park system. There must first be published for two consecutive weeks a notice of intention to do so. If a petition signed by "qualified electors equal in number to not less than ten percent (10%) of the electors who voted at the last preceding regular election" requesting an election thereon is submitted, one must be held. If no petition is filed, or if the proposition carries at an election held thereon,

"the governing body may by ordinance provide for the combining of its park system and its public recreation system and the establishment of a combined park and recreation department."

This statute appears fully adequate to authorize combining of the park department and recreation commission, following, of course, the statutory procedure prescribed therefor.

Yours very truly,

Vern Miller

VERN MILLER
Attorney General

VM:JRM:jsm