

FILE

Subject

Quintus
General

Copy to



STATE OF KANSAS

Office of the Attorney General

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

VERN MILLER
Attorney General

July 16, 1974

Opinion No. 74- 246

Mr. Kenny Peak
Criminal Justice Planner
Southeast Kansas Regional
Planning Commission
Box 664
Chanute, Kansas 66720

Dear Mr. Peak:

As Criminal Justice Planner with the Southeast Kansas Regional Planning Commission, you advise that your agency has been requested to perform a feasibility study for unification of law enforcement efforts in Woodson County, Kansas. You indicate that the proposed consolidation involves only consolidation of facilities, communications and records equipment. It is not proposed to abolish the office of sheriff, or consolidate that office with any other position. You question whether such a consolidation must be placed on the ballot for voter approval.

I enclose a copy of 1974 Senate Bill 59, now found at ch. 426, L. 1974, and my recent opinion on that bill. As you will note, section 3 permits consolidation of specific activities, functions and the like, without a vote of the electorate, unless such consolidation involves the abolition of an elective office, which is not the case in the proposal you submit. Accordingly, no election is required based upon the circumstances described in your letter.

Yours very truly,

VERN MILLER
Attorney General

VM:JRM:jsm
Enc.