



STATE OF KANSAS

Office of the Attorney General

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CURT T. SCHNEIDER
Attorney General

May 2, 1975

Opinion No. 75- 198

Mr. John E. Fierro
Ford County Attorney
Ford County Courthouse
Box 995
Dodge City, Kansas 67801

Dear Mr. Fierro:

You advise that recently in Ford County, two townships were proposed to be consolidated pursuant to K.S.A. 80-1109, and an election called pursuant to that provision. The question has now arisen whether residents of the cities of the third class located within the two townships were entitled to vote at that election.

K.S.A. 80-1109 states concerning that election in pertinent part thus:

"If a majority of the qualified electors in each township shall vote to consolidate, the board of county commissioners shall adopt a resolution certifying that the consolidation is in effect in accordance with the agreement..." [Emphasis Supplied.]

K.S.A. 1974 Supp. 15-104 states thus:

"Cities regulated and governed by this act [being cities of the third class] shall be and remain a part of the corporate limits of the townships in which the same are situated."

Mr. John E. Fierro
Page Two
May 2, 1975

Thus, qualified electors of a city of the third class are also qualified electors of the township in which that city is located.

Yours very truly,



CURT T. SCHNEIDER
Attorney General

CTS:JRM:jj

cc: Ms. Lucille Keck
Ford County Clerk
Ford County Courthouse
Dodge City, Kansas 67801