

TOWNSHIPS:
COMMITTEE:
WARDS:
TOWNSHIP COMMITTEES:

In a township which contains a city ward from which committeemen and committeewomen are elected, a resident of such city ward may not file for the position of township committeeman or committeewoman.

Opinion No. 117

March 10, 1964

Honorable Frank Conley
Prosecuting Attorney
Boone County
Columbia, Missouri



Dear Mr. Conley:

Your recent request for an opinion of this office may be restated as follows:

In a township which contains a city ward from which committeemen and committeewomen are elected, may a resident of that city ward file for the position of township committeeman or committeewoman?

In your letter you refer to the opinion of this office under date of February 14, 1952, addressed to the Honorable Robert G. Kirkland, which concluded that a committeeman and committeewoman were to be selected from Ward 21 of Kansas City and a committeeman and committeewoman were to be selected from the remainder of the township in which Ward 21 was located. This conclusion was based on Section 120.760, RSMo., which defined "election districts" as not less than a ward in cities subdivided into wards and townships in counties.

Section 120.770, RSMo., in providing the qualifications for committeemen and committeewomen states in part:

"At the August primary each voter may write in the space left on the ballot for that purpose the names of a man and a woman, qualified electors of the precinct, or voting district as the case may be, for committeemen for such township or voting district, . . . Any qualified elector in any such voting precinct or district may have his or her name printed on the primary ballot or party ticket. . . ." (Emphasis added)

From this statute it is clear that the legislature made eligible for committeemen and committeewomen only "qualified electors" of

Honorable Frank Conley

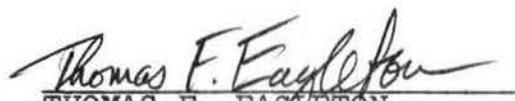
the voting district or precinct. As the Kirkland opinion indicated, the only "qualified electors" in the part of the township not included in the city ward were those who resided outside of the city ward.

CONCLUSION

Therefore, it is the opinion of this office that in a township which contains a city ward from which committeemen and committeewomen are elected, a resident of such city ward may not file for the position of township committeeman or committeewoman.

The foregoing opinion, which I hereby approve, was prepared by my assistant, Jeremiah D. Finnegan.

Very truly yours,


THOMAS F. EAGLETON
Attorney General