

July 2, 1964



Mr. Robert C. Simonds
Director, Planning Section
Division of Commerce and
Industrial Development
Eighth Floor, Jefferson Building
Jefferson\City, Missouri

Dear Mr. Simonds:

This is in reply to your recent letter which states
in part as follows:

"1. Your opinion is hereby requested
as to the authority of this Division
to contract with and make payment to
the Kansas Industrial Development
Commission for the joint development and
ownership of an educational film on
comprehensive planning in small com-
munities."

The state Division of Commerce and Industrial Development,
as successor to the Division of Resources and Development,
under Section 255.140, RSMo 1959, is the planning agency for
local areas. This section is here set out:

"The state division of resources and
development is hereby designated as
the official state planning agency
for the purpose of providing planning
assistance to counties, municipalities
and metropolitan planning areas, and
for such purposes is hereby authorized
and empowered to:

"(1) Contract with public agencies or
private persons or organizations for
any of the purposes of sections 255.130
to 255.150;

July 2, 1964

"(2) Delegate any of its functions to any other state agency authorized to perform such functions, except that responsibility for such functions shall remain solely with the division;

"(3) Require or receive reimbursement from any political subdivision or subdivisions receiving assistance under sections 255.130 to 255.150 for the actual costs of the planning assistance or planning work, except that no reimbursement shall be required or received for such costs to the extent that such costs are covered by federal grants and as further provided by sections 255.130 to 255.150 or amendments hereto." (emphasis supplied)

Thus, the Division is authorized to contract with a public agency to implement the local planning program. The suggested educational film would certainly be within the purposes of sections 255.130 to 255.150, RSMo 1959. Also, there being no specific prohibitions, the state of Kansas, and the Kansas Industrial Development Commission, thereof, would be "public agencies" as that term is used.

It is our belief that the Division does have the authority to contract with and make payment to the Kansas Industrial Development Commission for the joint development and ownership of an educational film on comprehensive planning in small communities.

Yours very truly,

THOMAS F. EAGLETON
Attorney General