

August 5, 1964



Honorable Harry E. Hatcher
State Senator, 28th District
P. O. Box No. 128
Neosho, Missouri

Dear Senator Hatcher:

This is in reply to your recent letter requesting an opinion of this office regarding whether special road districts organized under Sections 233.010 to 233.165 may place and accept competitive bids for construction contracts on road construction which is not a part of their district or in any way financed or subsidized by the special road district.

Enclosed are two former opinions of this office. The opinion dated February 16, 1954, to the Honorable Garner L. Moody, Prosecuting Attorney of Wright County held that a township in a county under township organization was not empowered to use township machinery to do work for private individuals for hire. The opinion dated December 17, 1962, to the Honorable Rufe Scott, Prosecuting Attorney, Stone County, held that a special road district organized under Sections 233.010 to 233.165, RSMo 1959, may not hire out special district machinery to do work in other districts for hire with the exception set out in Section 233.105. We believe the reasoning and the conclusions given in these two opinions apply to the questions which you have asked.

Yours very truly,

THOMAS F. EAGLETON
Attorney General

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Enclosures