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OFFICES OF THE
ATTORNEY GENERAL OF MISSOURI
JEFFERSON CITY

October 21, 1975

OPINION LETTER NO. 204

Mr. J. Neil Nielsen
Commissioner
Office of Administration
Post Office Box 809
Jefferson City, Missouri 65101

Dear Mr. Nielsen:

This letter is in response to your request for an opinion of this office concerning the following question:

"Is a Regional Planning Commission which changes its name from that specified in Chapter 251.034 RSMo 1973 Cumulative Supplement still eligible for state funds in accordance with that Chapter?"

You further state:

"Chapter 251.034 RSMo 1973 Cumulative Supplement provides for distribution of state funds to Regional Planning Commissions. Since enactment of this section three of these regions have changed their bylaws to reflect a name change as follows:

"1. Lake of the Ozarks Regional Planning Commission to Lake of the Ozarks Council of Local Governments.

"2. Lakes Country Regional Planning Commission to Southwest Missouri Local Government Advisory Council.

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"3. Mid-Missouri Regional Planning Commission to Mid-Missouri Council of Governments.

"The original constitution of these regional commissions (boundaries, commission memberships, services, goals, etc.) remain basically unchanged except for this name change."

Section 251.034, RSMo Supp. 1973, provides:

"Payments made under sections 251.032 to 251.038 to the various regional planning commissions shall be distributed on a matching basis of one-half state funds for one-half of local funds. No local unit shall receive any payment without providing the matching funds required. The state funds so allocated shall not exceed the sum of sixty-five thousand dollars for the East-West Gateway Coordinating Council and for the Mid-America Regional Council or twenty-eight percent of the funds appropriated for such purpose to be divided equally among those planning commissions for regions containing seven hundred thousand or more inhabitants based on the last completed decennial census, whichever sum is the lesser. The remaining allocated state funds shall not exceed the sum of twenty-five thousand dollars for each of the following regional planning commissions: South Central Ozark, Ozark Foothills, Green Hills, Show-Me, Bootheel, Missouri Valley, Ozark Gateway, Mark Twain, ABCD, Southeast Missouri, Boonslick, Northwest Missouri, Mid-Missouri, Kaysinger Basin, Lake of the Ozarks, Meramec, Northeast Missouri, and Lakes Country or seventy-two percent of the total funds appropriated for that purpose, divided equally, to those planning commissions for regions containing less than seven hundred thousand inhabitants, whichever sum is the lesser."

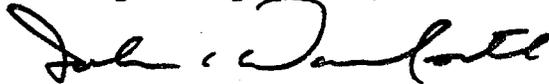
It is clear on reading Section 251.034, RSMo Supp. 1973, that the sole purpose of this statute is to provide the terms and method of allocation of state funds to the several regional planning commissions. Although the statute does mention each such commission by name, it is our view that the names were used

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only for the purpose of clarifying the method of allocation of payments made under Sections 251.032 to 251.038, RSMo Supp. 1973. The names set out in the statute were the names in existence at the time the statute was enacted. We find no indication that the General Assembly intended to condition the receipt of state funds by regional planning commissions on the continuation of any specific name. The funding of the several commissions, and not the names by which they may be known, was the concern of the General Assembly in enacting Section 251.034.

Accordingly, it is the opinion of this office that a regional planning commission which changes its name from that specified in Section 251.034 remains eligible for state funds in accordance with Chapter 251.

Very truly yours,



JOHN C. DANFORTH
Attorney General