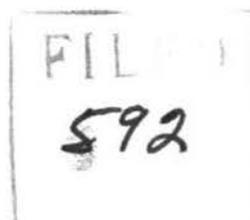


December 31, 1969

OPINION LETTER NO. 592

Mr. Hubert Wheeler
Commissioner of Education
State Department of Education
Jefferson State Office Building
Jefferson City, Missouri 65101



Dear Commissioner Wheeler:

Pursuant to the request contained in your letter of December 18, 1969, that this office provide its certification of the proposed Plan of Operation of the Missouri State Agency for Surplus Property for the period January 1, 1970 through June 30, 1975, we have reviewed the plan proposed by the State Board of Education as the State Agency for Surplus Property in Missouri.

Our review of the plan has taken into consideration (1) the Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 377 (1949), as amended, (2) regulations of the Department of Health, Education and Welfare entitled Minimum Standards of Operation for State Agencies for Surplus Property, 45 C.F.R. 14.1 through 14.15 and (3) Sections 161.192 and 161.202, RSMo 1967 Supp.

From the foregoing, it is the opinion of this office that:

1. The State Board of Education is the "Missouri State Agency for Surplus Property" and is so designated in Section 161.192, RSMo 1967 Supp., and

2. The Missouri State Agency for Surplus Property is authorized to acquire, warehouse and distribute federal surplus property in conformity with the Federal Property and Administrative Services Act of 1949, Public Law 152, Eighty-First Congress, as amended, and under any other laws enacted by the Congress of the United States which provide for the disposal of United States Government surplus property (Section 161.192, RSMo 1967 Supp.), and

Mr. Hubert Wheeler

3. The Missouri State Agency for Surplus Property may enter into agreements for and on behalf of the State of Missouri which are necessary or appropriate under controlling federal statutes and regulations, and may make regulations necessary to the disposal of surplus properties (Section 161.192).

Therefore, we hereby certify that the Missouri State Agency for Surplus Property is authorized and empowered by the law of the State of Missouri to carry out the provisions of the proposed Plan of Operation for the period January 1, 1970 through June 30, 1975.

Very truly yours,

JOHN C. DANFORTH
Attorney General