

OPINION
65-325

March 5, 1965 (OPINION)

Mr. Fred P. Brandt, Director

Economic Development Commission

RE: State planning agency - Indians - Representation

In your letter to this office dated February 25, 1965, you request an opinion as to "whether the Economic Development Commission State Planning Agency, may (under provisions of Section 54-34.1 (NDCC)) advise, consult, coordinate, assist and contract with or on behalf of an Indian tribal planning committee in developing and harmonizing the planning activities of this state."

Section 54-34.1-03 of the 1963 Supplement to the North Dakota Century Code sets out the purpose of the state planning agency as being "to advise, consult, coordinate, assist, and contract with or on behalf of the various planning agencies in developing and harmonizing the planning activities of this state." Section 54-34.1-04 lists the powers and duties of the state planning agency, two of which are to "* * * 2. Inform, advise, assist, cooperate with, and contract with or on behalf of the various planning agencies; 3. Accept and receive funds, grants and services from the various planning agencies; * * *

The only question would seem to be whether an Indian tribal planning committee is one of the "various planning agencies" contemplated in the above and other sections of Chapter 54-34.1 of the 1963 Supplement to the North Dakota Century Code.

Section 54-34.1-01 of the 1963 Supplement to the North Dakota Century Code gives the following definition of "planning agencies":

"DEFINITIONS. In this chapter, unless the context or subject matter otherwise requires the term 'planning, agencies' shall mean and include the departments, agencies, instrumentalities of the federal,