



WILLIAM G. CLARK
ATTORNEY GENERAL
STATE OF ILLINOIS
SPRINGFIELD
August 18, 1965

James A. Cassin
Executive Director
Illinois Commission
New York World's Fair 1964-1965
Flushing, New York 11380

Dear Mr. Cassin:

I am returning two copies of the proposed contract between the Illinois Commission and Walt Disney Productions Disneyland Division. I am unable to approve this contract for the following reasons:

(1) The contract states that the proposed area to be leased at Disneyland is for the "dissemination of information regarding tourism in the State of Illinois." This is, of course, a normal function of the Department of Business and Economic Development. The Illinois Commission on the New York World's Fair is not authorized to perform this task. The Illinois Commission is authorized to lease and deal with construction only at the site of the World's Fair in Flushing Meadows, New York. A review of House Bill No. 836, passed by the 73rd General Assembly in 1963, fails to show any legal basis upon which the proposed contract and expenditures of the Commission's fund could be predicated.

(2) The lease agreement is ambiguous as concerns its time of running. This term is set out on page 2 of the contractual letter at the fourth full paragraph. It, in essence, leaves the matter open for further negotiation concerning the opening date of the booth to be constructed in Disneyland. By these terms, the lease could run beyond June 30, 1967, when this biennium ends. It is prohibited by Illinois law, absent explicit statutory authority, to lease for more than a biennium period.

James Cassin

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Had the enclosed contract been made by the Department of Business and Economic Development, to whom the duty of promoting tourism is entrusted by our statutes, there would have been no objection thereto.

Very truly yours,

William H. Clark
ATTORNEY GENERAL

THM:gf

cc: Mr. Richard Newman
Chief of Division of Tourism
Department of Business and
Economic Development