

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA

August 10, 1935

Howard C. Hanson, W. D.  
Director Institutional Service  
Augusta, Maine

Dear Sir:

In response to your oral inquiry relative to the provisions of "AN ACT to Provide for the Issuance of State of Maine Improvement Bonds and the Allocation of the Proceeds From Sale", I am pleased to suggest that section 6 of said act (P. & S. 1935, c. 30) defines the words "available funds" which

"shall mean funds derived from a bond issue authorized for that purpose; funds from moneys or credits received from the federal government; funds available from any surpluses from and above the operating expenses of the state for that fiscal year; funds from any direct appropriation by the legislature for any specific purpose covered by this act."

Section 7 provides that,-

"In the event that available funds are insufficient to carry out the total provisions for construction and equipment of projects as hereinafter provided, or if the governor and council determine any of the enumerated projects are unnecessary, or that the amounts designated for any project be in excess of the actual requirements for construction and equipment, then the governor and council are hereby authorized to eliminate projects sufficient to reduce the total expenditures to within the total available funds, or to transfer or allocate any additional funds made available by eliminated projects or unobligated savings on estimates, to any other enumerated project they deem necessary."

Section 8 indicates that the projects listed in said act are their estimated costs.

Dr. Hanson, Aug. 10, 1935, Page 2.

It is evident that "available funds" cannot be used for any projects which are not listed in the act, but the estimates for any given project may be increased or diminished in accordance with what the Governor and Council find is necessary therefor.

The total estimated projects amount to something over \$3,000,000.

Very truly yours,

Deputy Attorney General

SLP H

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DEPARTMENT OF THE ATTORNEY GENERAL  
STATE OF MAINE

