

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of  
the Maine Attorney General as transferred to  
the Maine State Law and Legislative Reference  
Library on January 19, 2022**

March 17, 1964

Walter F. Umer, Commissioner

Mental Health and Corrections

Comptroler B. Perry, Asst. Atty. Gen'l.

Attorney General

Use of Funds under General Fund Bond Issue, P & S L 1963, c. 186--Augusta State Hospital, "Continuation of Ward Buildings Renovations."

**FACTS:**

Under the General Fund Bond Issue, P & S L 1963, c. 186, passed by the Legislature and ratified by the vote of the people, the sum of \$300,000 was authorized for "Continuation of Ward Buildings Renovations" at the Augusta State Hospital.

The administration of the Augusta State Hospital contemplates the remodeling of two older buildings of the institution, formerly occupied by patients but, which would be utilized in the future for employees with interior changes and additions, such as toilet facilities.

**ISSUE:**

Can the funds authorized under chapter 186 for "Continuation of Ward Buildings Renovations" be used in effecting the remodeling of certain buildings at the Augusta State Hospital for employees' use?

**ANSWER:**

No.

**REASON:**

Chapter 186 provides in part:

"1. . . .The Treasurer of State is authorized, under the direction of the Governor and Council, to issue from time to time serial coupon bonds in the name and behalf of the State to an amount not exceeding \$2,422,000 for the purpose of raising funds to provide for such construction, repairs, equipment, supplies and furnishings, as authorized by section 6. . . ."

"3. . . .The proceeds of the sales of such bonds, which shall be held by the Treasurer of State and paid by him upon warrants drawn by the Governor and Council, are appropriated to be used solely for the purposes set forth in this act. . . ."

Section 6 is in pertinent part:

"Augusta State Hospital

Continuation of Ward Buildings Renovation \$300,000"

Although, the bonds when issued, are to provide for "construction, repairs, equipment, supplies and furnishings" the broad classifications are covered by the total amount of the authorized bond issue \$3,422,000, and the "broad terms" are of little assistance in a determination of the extent to which an itemized allocation of funds as found in §6 of the Act might be used.

It is, therefore, our opinion that the limiting language of the quoted portion of §6 demands strict construction. This opinion is strengthened by provision that the funds raised by the issuance of bonds are to be solely for the purposes set forth in the Act.

It is our opinion that to use the \$300,000 allocated for renovations to ward buildings in order to effect remodeling of buildings for employee occupation, would be a disposition of the funds not contemplated by the Legislature, or by the ratifying voters, and in violation of the purposes of the Act.

---

Courtland D. Farry  
Assistant Attorney General

CDL/s