

# MAINE STATE LEGISLATURE

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December 9, 1968

Kermit S. Nickerson, Deputy  
Commissioner  
Phillip M. Kilmister, Assistant  
Washington County Vocational-Technical Institute.

Education  
Attorney General

SYLLABUS:

The proceeds of a bond issue approved by referendum and earmarked for the establishment of a vocational-technical institute in Washington County must be used solely for that purpose.

FACTS:

By referendum vote in November of 1967, the people of the State of Maine gave their approval to a proposed expenditure of \$650,000 for the establishment of a post-secondary vocational-technical institute to be located in Washington County. The item was listed in Ch. 188, P. & S. 1967 in section 6 as follows: "Washington County Vocational Technical Institute, New Building... \$650,000."

20 M.R.S.A. § 2356 as amended by P. L. 1965, Ch. 440 and P. L. 1967, Ch. 284, provides for the establishment of regional technical and vocational centers by school administrative districts or units.

There is no express statutory authority for the coordination of vocational-technical training between the various administrative units and post-secondary vocational-technical institutes.

QUESTION:

May the State Board of Education approve the establishment of a regional technical vocational center for secondary students in an administrative unit in Washington County and utilize the proceeds of the bond issue of \$650,000 to construct a post-secondary vocational-technical residential facility on the same site as the regional center as either a wing or a separate plant and coordinate the administration and operation of both?

ANSWER:

No.

OPINION:

Neither the Legislature nor the voters of Maine intended to make the establishment of a vocational-technical institute in Washington County an adjunct to a residential secondary school vocational-technical center in said county.

The newly proposed Washington County Vocational-Technical Institute is the latest of a system of post-secondary institutes envisioned by the language of 20 M.R.S.A. § 57 and § 2356 as amended by P. L. 1967, Ch. 284. Such institutes are not established to serve the vocational or technical educational needs of the various school administrative units throughout the state. The initiative for providing technical and vocational educational training on the secondary school level is placed in the various school administrative units and is specifically set forth pursuant to the terms of 20 M.R.S.A. § 2356 (A to H) as amended by P. L. 1965, Ch. 440.

We reiterate the principle that in the first instance, the Board of Education has no implied power to merge or coordinate the functions of the newly proposed institute to meet the needs of regional secondary technical and vocational centers.

PHILLIP M. KILMISTER  
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PMK: vhw