

# 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)

JOSEPH E. BRENNAN  
ATTORNEY GENERAL



LD 1329  
RICHARD S. COHEN  
JOHN M. R. PATERSON  
DONALD G. ALEXANDER  
DEPUTY ATTORNEYS GENERAL

STATE OF MAINE  
DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

April 12, 1977

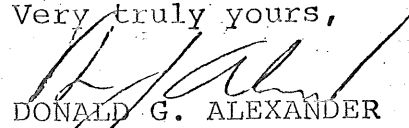
Honorable Donald O'Leary  
Senate Chambers  
State House  
Augusta, Maine

Dear Senator O'Leary:

This responds to your request for an opinion as to whether there is any constitutional problem with the provisions of Section 15 of L.D. 1329. Section 15 would amend the current Vocational Education Law, 20 M.R.S.A. § 2356-G-6, to specify the manner of development of vocational education region budgets by the cooperative board. It includes a provision that the budget be presented to the legislative body of the vocational education region in a manner that the legislative body may accept or reject each article in the budget warrant without amending any portion thereof.

Our review of this legislation indicates no constitutional problem with the legislation. The local legislative body is given an opportunity to vote on the budget. Thus it is given decision-making authority. Presumably, if it is dissatisfied with any article of the budget, it may reject that article. While there may be practical difficulties with a local legislative body being given an alternative of accepting or rejecting a budget article without opportunity of amendment, considering the budget deadlines it may face and the potential difficulty in rewriting a budget after a rejection, these difficulties do not create a constitutional problem of equal protection or due process or of any other nature.

Very truly yours,

  
DONALD G. ALEXANDER  
Deputy Attorney General

DGA/ec

cc: Hon. Bennett Katz, Chairman  
Education Committee  
Hon. Arthur Lynch, Chairman  
Education Committee