

MAINE STATE LEGISLATURE

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DEPARTMENT OF THE ATTORNEY GENERAL

AUGUSTA, MAINE 04333

April 23, 1979

Judy C. Kany, House Chairman
Committee on State Government
State House
Augusta, Maine 04333

Re: L.D. 508

Dear Representative Kany:

I have received your inquiry about L.D. 508: "An Act to Clarify the Form of Local Consent Resolution Regarding State Housing Authority Assistance Allocation."

You have asked whether or not the present language of 30 M.R.S.A. §4552 sub-§ 1 or 30 M.R.S.A. §4701 precludes municipalities from granting limited consent based on the specifics mentioned in L.D. 508.

No. Neither 30 M.R.S.A. §4552 sub-§ 1 nor 30 M.R.S.A. §4701, presently precludes municipalities from granting limited consent. These sections (4552(1) and 4701) merely preclude action where no consent or approval has been given by consent resolution. Neither section limits or prescribes the degree of permissible consent. They speak to the existence and form of consent (consent resolution) only.

To the extent that L.D. 508 seeks to specify the boundaries of limited consent or form of consent resolution, it does not conflict with or contradict either §4552(1) or §4701.

If I can be of further assistance, please feel free to call upon me.

Sincerely yours,

ROBERT J. STOLT
Deputy Attorney General

RJS:jg