

# MAINE STATE LEGISLATURE

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JAMES E. TIERNEY  
ATTORNEY GENERAL



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

May 28, 1981

Honorable John L. Martin  
Speaker  
House of Representatives  
State House  
Augusta, Maine 04333

Dear Speaker Martin:

This will respond to your inquiry with respect to allocations from the Highway Fund. Given the apparent urgency of the problem, my response will be both informal and brief.

In essence, you have asked what would happen if the aggregate allocations from the Highway Fund exceeded the monies which are actually received by that fund during any given fiscal year. The problem appears to be covered by 5 M.R.S.A. § 1668, which authorizes the Governor to curtail allotments whenever anticipated income is insufficient to meet the expenditures authorized by the Legislature. In the event that they may prove useful, I am enclosing three prior opinions of this office which deal with this type of problem.

Please feel free to contact me if I can be of any further service.

Sincerely,

*Stephen L. Diamond*  
STEPHEN L. DIAMOND  
Deputy Attorney General

SLD/ec  
Enclosures

Opinions enclosed:

- March 19, 1980 to Hon. Jerome Emerson
- January 7, 1976 to Hon. Louis Jalbert
- January 7, 1976 to Hon. James Longley