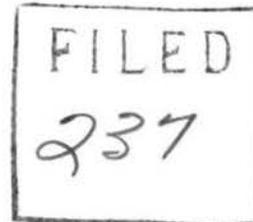


August 30, 1972

OPINION LETTER NO. 237
Answer by Letter - Klaffenbach

Honorable Vic Downing
State Representative
Rural Route 1
Bragg City, Missouri 63827



Dear Representative Downing:

This letter is in answer to your opinion request in which you ask whether Senate Bill No. 613 of the 76th General Assembly, Second Regular Session, with respect to student financial assistance is in violation of the Missouri Constitution.

We have examined the Act in question and we find no clear violation of the Constitution.

It is a well settled principle of constitutional construction that only when there is a clear conflict between a legislative enactment and the Constitution are the courts warranted in declaring the law to be void. In the Matter of Burris, 66 Mo. 442, 450 (1877); Borden Co. v. Thomason, 353 S.W.2d 735, 743 (Mo. 1962).

Further it is our understanding that the Act will undoubtedly be challenged in the Missouri courts and therefore it would not be proper and it would serve no purpose for us to provide you with a detailed analysis of our views.

Very truly yours,

JOHN C. DANFORTH
Attorney General