

MAINE STATE LEGISLATURE

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March 26, 1937

Raymond E. Randall
Secretary, State Park Commission
Alfred, Maine.

Dear Sir:

In reply to your letter of March 5, with the enclosed material, it is my opinion that the State Park Commission has no authority to enter into the proposed agreement.

I have examined Chapter 144, P. L. 1935, which created the Commission and defines its duties. In that Act no powers are given to the Commission in relation to any particular park or lands until the land has been acquired in behalf of the State with the consent of the Governor and Council; and I do not feel that the Governor and Council would have any authority to authorize the Park Commission to enter into any such contract until the State had taken over the park or land as provided in the Act.

Under the provisions of section 2 (1), certain rights are given to the Commission with the consent of the Governor and Council to negotiate and execute leases and other agreements. Under this subdivision the Commission might, with the consent of the Governor and Council, enter into a lease or other agreement for the administration, maintenance, supervision and development of State Parks acquired and owned by the United States, but the powers they are given are not broad enough to permit of the execution of the contract about which you are inquiring.

Very truly yours,

Franz U. Burkett
Attorney General

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