

# MAINE STATE LEGISLATURE

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February 8, 1944

William D. Hayes, State Auditor

From Frank I. Cowan, Attorney General

Re: Claim against Port of Portland Authority - \$294.31

It is my understanding that the Port of Portland Authority is willing to pay this bill and that the only thing that stands in the way is the opinion which I necessarily gave under date of March 12, 1942, as follows: "I have not found anything in the law authorizing the payment of this bill and it is therefore my opinion that no such right exists."

The Port of Portland is, of course, in a different situation from ordinary State departments in that it handles its own budget instead of having it handled by the Department of Finance. Nevertheless, the Authority is an agency of the State, and the regular rules of procedure can be used in so far as they do not conflict with the express provisions of the statute. In this particular case I believe that it will be proper that you prepare a council order in the usual form, to be approved by the Port of Portland Authority and by yourself, under the terms of which the Governor and Council will authorize the Authority to transfer to the State of Maine for the benefit of the Department of Audit the amount of \$294.31, which is the charge you have for an audit made in the year 1941.

Frank I. Cowan  
Attorney General

FIG:c  
cc: Port of Portland Authority.