

MAINE STATE LEGISLATURE

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Cyes

September 30, 1953

To Hon. Burton M. Cross, Governor of Maine
Re: Maine Maritime Academy -- S. S. COMFORT

We are returning herewith correspondence from Louis S. Rothschild, Maritime Administrator, and the contract which was submitted to you by him for your signature.

In brief, the contract provides that in consideration of the loan to the State of Maine, by the Maritime Administration, of the ex-S.S.COMFORT to be used by the Maine Maritime Academy, the State would either (1) through its Attorney General offer assurances that the contract would be complied with in so far as the Federal Government would be held free from liability in the event of the injury or death of anyone connected with the vessel and from damages resulting from collision or other marine perils; or (2) that the State of Maine would provide adequate insurance that the Federal Government would be so held free from liability.

We wish to advise that it is impossible for the Attorney General to grant such an assurance and that it is our opinion that in the absence of statute the Governor and Council could not grant such assurances.

We would further advise that the Maine Maritime Academy is a separate and distinct agency of the State, being created a body corporate and politic by act of the legislature, and that any such contract as the Administrator might contemplate should be executed by the Trustees of the Academy and not by the Governor of the State of Maine.

We are therefore returning this material with the suggestion that it be returned to the Administrator, who should be advised of the facts.

James Glynn Frost
Deputy Attorney General

jgf/c

N. B. See memo of October 13, 1953, same subject.