

MAINE STATE LEGISLATURE

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June 13, 1956

To Honorable Edmund S. Muskie, Governor of Maine
Re: Membership, Commission on Interstate Cooperation

The question has been raised as to the tenure of office of State officials appointed to the above captioned Commission who are no longer in those State offices which they occupied when they were originally appointed to the Commission.

The statute under consideration is Section 29 of Chapter 10, R.S. 1954, the first sentence of which reads as follows:

"The members appointed by the governor (State officials) shall hold office as members of the commission so long as they shall continue to hold the respective state offices by virtue of which they shall have been appointed."

With respect to State officials who are no longer holding the respective State offices by virtue of which they were originally appointed, it is our opinion that such persons are "holding over" until their successors are duly appointed and qualified.

We believe that new members should be appointed, or, if it is contemplated that existing members remain, that they should be re-appointed.

We would also suggest that, in order to maintain a record of such appointments, commissions be issued and that each member take an oath of office, to be filed with the Secretary of State.

James Glynn Frost
Deputy Attorney General

jgf/c