

MAINE STATE LEGISLATURE

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November 15, 1957

yes

To Honorable Edmund S. Muskie, Governor of Maine
Re: Northeastern Resources Committee

I have your memos of November 5 and 15th, asking if there is any constitutional or statutory bar to your entering into a charter for a Northeastern Resources Committee in behalf of the State of Maine. . .

The real question is whether or not you have any authority to enter into such a charter on behalf of the State. The answer to this question is that you have no such authority. Such authority would have to be granted by the legislature. As an example I call your attention to Chapter 450 of the Public Laws of 1955, which conferred upon the Governor the authority to execute a compact with other States for Interstate Water Pollution Control.

Because of the foregoing it is probably not necessary to call your attention to the fact that the compact contains no provision for financing.

Also because of the foregoing I have made no effort to ascertain whether or not the proposed charter is such an agreement as would require the approval of Congress under Article I, Section 10 of the Constitution of the United States, although on the face of it, it would appear to be.

Frank F. Harding
Attorney General

FFH:c

NOTE: For suggested amendments so as to bring an agreement within the Governor's powers, see opinions of January 6 and 16, and March 4, 1958 in the Northeastern Resources Committee file under Economic Development.