

# MAINE STATE LEGISLATURE

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November 14, 1958

Edward Langlois, General Manager  
Maine Port Authority  
Maine State Pier  
Portland, Maine

Dear Mr. Langlois:

I have your letter of October 30, 1958, requesting an opinion concerning the application of Section 26 of Chapter 15-A, Revised Statutes of 1954, as amended, to the Island Ferry Service. On a previous occasion I had discussed this matter with Mr. Pressey, Assistant Controller, and agreed that Section 26 did not apply to the Island Ferry Service.

I have also received a letter addressed to James Frost, Deputy Attorney General, requesting an opinion concerning whether or not the Maine Port Authority in its administration of the Island Ferry Service comes under the jurisdiction of the Bureau of Public Improvements for leasing of grounds, buildings and facilities.

The Maine Port Authority as an agency of the State would appear to come within the purview of Chapter 15-A, Revised Statutes of 1954, but historically these quasi-governmental agencies such as normal schools, the University of Maine and the Maine Port Authority have been considered in a different category than our other state agencies. (Chapter 215, P. L. 1931, commonly known as the administrative code which exempts the Maine Port Authority, then known as the Port of Portland Authority from the provisions of the act.) The Maine Port Authority was charged by the Legislature to acquire property, boats and equipment to provide transportation of vehicles, freight and passengers between the islands and the mainland. The legislature specifically laid down the duties and the authority of the Maine Port Authority for organizing and operating the ferry service. The Legislative Record indicates that the Maine Port Authority was given this task because of their special knowledge in such a venture.

Edward Langlois

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In the overall survey of the statutes and the Legislative Record it is, therefore, my opinion that the Maine Port Authority administering the ferry service is not subject to Section 26 or Article XIX of Section 25 of Chapter 15-A, Revised Statutes of 1954.

Very truly yours,

George A. Wathen  
Assistant Attorney General

gaw/n