

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1959 - 1960**

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December 6, 1960

To: Dr. Warren G. Hill, Commissioner of Education

Re: Educational Television

I have your request for an opinion regarding whether or not the Department of Education can become a member of Eastern Educational Network, Inc.

Chapter 204, Private & Special Laws of 1955, sets up a committee to study the possibilities of the use of television in an expanding program of education for the citizens of the State and the proper relationship of state agencies to any public or private effort to develop this potential.

This committee was reactivated by Chapter 181, Private & Special Laws of 1957.

The Department of Education is an agency of the State and as such has only those powers as set forth in the statutes. I am unable to find any authority for the Department of Education to join this corporation.

GEORGE A. WATHEN  
Assistant Attorney General

December 6, 1960

To: R. W. Macdonald, Chief Engineer of Water Improvement Commission

Re: Transferring a Waste Discharge License

We have your request for an opinion as to whether or not a waste discharge license issued by the Water Improvement Commission can be transferred from the party who initially receives the license to a second party not involved in the initial request.

Under Chapter 79, section 9, Revised Statutes of 1954, applications for licenses must be in writing signed by the applicant and certain requirements of notice and hearing must be met. Under section 8 of Chapter 79, no person or corporation may discharge waste without first obtaining a license from the Commission.

Under neither of these sections is the Water Improvement Commission given any power to transfer a license from the initial licensee to a subsequent party. It is, therefore, our opinion that such a transfer is not within the powers of the Water Improvement Commission and would not be proper.

THOMAS W. TAVENNER  
Assistant Attorney General

December 9, 1960

To: John H. Reed, Governor of Maine

Re: Incompatibility

I have your request regarding whether it would be compatible for one to hold the office of a Commissioner on the Board of Pharmacy of this State and at the same time be a legislator.