

MAINE STATE LEGISLATURE

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JOSEPH E. BRENNAN
ATTORNEY GENERAL



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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333

May 31, 1977

Honorable Robert S. Howe
House of Representatives
State House
Augusta, Maine 04333

Dear Representative Howe:

On May 19, 1977, this office issued to you an Opinion concerning the relation between L.D. 1476, "AN ACT to Establish a Pipeline Privilege Tax." and the proposed United States-Canadian Transit Pipeline Treaty. The result reached in our opinion was, in part, premised upon information received from the United States Department of State. However, in the past two weeks we have learned that the Department of State has not yet reached a conclusion concerning the effect of the proposed treaty upon L.D. 1476. In fact, personnel of the Department of State are currently preparing a memorandum on this issue. Since the Senate has not yet acted upon the proposed treaty, the conclusions of the Department of State will serve as the only available indicator of the intent of the drafters of the treaty.

Due to the importance of the Department of State's legal conclusions, we have decided to withdraw our May 19 Opinion. Upon receiving the written conclusions of the Department of State, we will reevaluate our prior opinion. Our decision to withdraw the May 19 Opinion should not be construed as either affirming or disaffirming the result reached in the Opinion.

I apologize for any inconvenience that the above may cause you.

Sincerely,

A handwritten signature in cursive script that reads "Joseph E. Brennan".

JOSEPH E. BRENNAN
Attorney General

JEB:gr

cc: Honorable Glen W. Torrey
Honorable Richard J. Carey
Honorable J. Hollis Wyman