

MAINE STATE LEGISLATURE

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JOSEPH E. BRENNAN
ATTORNEY GENERAL



RICHARD S. COHEN
JOHN M. R. PATERSON
DONALD G. ALEXANDER
DEPUTY ATTORNEYS GENERAL

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

June 15, 1977

The Honorable Donald F. Collins
Senate Chambers
State House
Augusta, Maine 04333

Dear Senator Collins:

You have asked whether the addition of language to L. D. 1782 stating that the Seed Potato Board does not have the authority to pledge the faith and credit of the State of Maine would remove the constitutional objection to the bill which we expressed in our opinion to Representative Mahany of June 14, 1977. The answer to this question is that such a provision would remove the constitutional obstacle. As the Maine Supreme Judicial Court indicated in Maine State Housing Authority v. Depositors Trust Co., 278 A. 2d 699 (Me. 1971), the issuance of bonds or notes by a state agency does not violate Article IX, Section 14 of the Maine Constitution if the statute creating the agency specifies that its obligations shall not constitute an indebtedness.

Sincerely,


CABANNE HOWARD
Assistant Attorney General

CH/bls

cc: Representative Luman P. Mahany