

# MAINE STATE LEGISLATURE

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STATE OF MAINE *Maine Maritime Academy Energy Bond*

Inter-Departmental Memorandum Date December 3, 1977

To John Ketner, Construction Engineer Dept. Bureau of Public Improvements  
From Kay R. H. Evans, Assistant Dept. Attorney General  
Subject Energy Bond Issue Funds

By memo of October 21, 1977, you inquired whether Maine Maritime Academy buildings are considered State-owned buildings so that funds to be provided by a bond issue authorized by Chapter 72, P. & S. L., 1977<sup>1/</sup> for energy conservation improvements<sup>2/</sup> may be utilized in making such improvements to these buildings.

Maine Maritime Academy buildings are State-owned and moneys raised by this bond issue may properly be spent for energy conservation improvements thereto.

Your question arises because of Chapter 37's definition of State-owned buildings:

. . . all State-owned buildings subject to the Revised Statutes, Title 5, Chapter 141 to 155. Chapter 72, § 1(4), P. & S. L. 1977.

Chapters 141 to 155 of Title 5 apply in general to the State, its departments, officers, boards, commissions and agencies. Maine Maritime Academy, an institution having a<sup>3/</sup> close relationship to the State since its incorporation in 1941 as the Maine Nautical Training School, was specifically declared a State agency in 1947.<sup>4/</sup> All provisions of chapters 141 to 155 relevant to State agencies are therefore relevant to the Academy, including specifically those provisions which relate to buildings and public works owned, leased, constructed or acquired by State agencies. 5 M.R.S.A. § 1741 et seq. The Academy's buildings are thus within the Chapter 37 definition and energy conservation improvement funds may be spent thereon.

*Kay R. H. Evans*  
KAY R. H. EVANS  
Assistant Attorney General

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- 1/ Such funds become available only after approval of a referendum question on November 8, 1977
- 2/ Improvements may be made to "State-owned" and "public school" buildings
- 3/ Chap. 37, P. & S. L. 1941.
- 4/ Chap. 24, P. & S. L. 1947