

MAINE STATE LEGISLATURE

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DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA, MAINE 04333

December 12, 1977

Honorable Roland D. Martin
Main Street
Frenchville, Maine 04745

Dear Senator Martin:

This responds to your request for an opinion on the question of whether there is legal authorization for appropriation of county monies to subsidize individuals or firms to start a scheduled flight service.


We would advise that a review of the Maine Statutes discloses no such authorization for expenditure of county funds to subsidize the starting of a scheduled flight service.

As no authorization exists, expenditures could only be made for such purposes after enactment of an appropriate legislative authorization. Counties, unlike municipalities, have no constitutional home rule provision. Therefore, county funds may only be spent pursuant to specific legislative authorization.

Further, as to potential expenditure of public funds to subsidize a scheduled flight service, we would caution that the expenditure of such funds would have to be approved in such a way that the public purpose of the expenditure was demonstrated so that there would be no violation of the constitutional doctrine that public funds may only be expended for public purposes.

I hope this information is helpful.

Sincerely,


DONALD G. ALEXANDER
Deputy Attorney General

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