

# MAINE STATE LEGISLATURE

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*Maine Guarantee Authority Confidentiality*  
*5 MAR 16 1978*

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DEPARTMENT OF THE ATTORNEY GENERAL  
AUGUSTA, MAINE 04333

July 18, 1978

To: Philip Clifford, Manager, Maine Guarantee Authority  
Richard Dieffenbach, State Controller

From: Sarah Redfield, Assistant Attorney General

Re: State Audit of Maine Guarantee Authority

The purpose of this memorandum is to supplement my earlier memorandum to you on the same subject, dated July 10, 1978. That memorandum was based on a misunderstanding on my part of the nature of the audit with which Mr. Dieffenbach was concerned. The opinion dated July 10, 1978, basically addresses the propriety of an audit by the State Auditors. It appears now that the audit with which Mr. Dieffenbach was concerned is an audit done under the auspices of the Governor pursuant to Title 5 M.R.S.A. § 1621. This section provides that:

"Whenever it seems advisable to the Governor, he may cause the books and accounts of the State or any department or agency thereof to be audited, and for that purpose may employ auditors other than those employed by the State Department of Audit. In any event, the Governor shall cause an audit of the books of the State to be made at least once in every 4 years by auditors other than those employed by the State Department of Audit."

While the audit of the Maine Guarantee Authority now at issue is one pursuant to this section (and not pursuant to the authorization of the State Department of Audit), the analysis in the memorandum of July 10, 1978, remains the same. Based on that analysis, access to the Maine Guarantee Authority records by auditors engaged by the Governor would be proper.

*Sarah Redfield*  
SARAH REDFIELD  
Assistant Attorney General

SR/ec  
cc: Department of Audit