

MAINE STATE LEGISLATURE

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JOSEPH E. BRENNAN
ATTORNEY GENERAL



RICHARD S. COHEN
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DEPUTY ATTORNEYS GEN.

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

November 16, 1978

Mr. Harry Vose, Chairman
Electrician's Examining Board
Business Regulations
Stevens Training Center
Hallowell, ME 04347

Dear Harry:

This responds to your inquiry whether your being a member of the Legislature will require your resignation from the Electrician's Examining Board, I must advise it will.

Article III, §2, of the Maine Constitution mandates "No person or persons, belonging to (the executive, legislative or judicial departments), shall exercise any of the powers properly belonging to either of the others, except in the cases herein expressly directed or permitted". There is no question that the Board is part of the executive department of government. Therefore, your membership on the Board is incompatible with your status as a legislator and barred by the above-quoted constitutional provision.

It has been a pleasure to work with you as a member of the Board. I look forward to an opportunity to work with you as a legislator.

Sincerely yours,

A handwritten signature in cursive script that reads "William J. Kelleher".

WILLIAM J. KELLEHER
Assistant Attorney General

WJK/glm