

MAINE STATE LEGISLATURE

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DEPUTY ATTORNEYS GENERAL

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

April 6, 1979

Senator David Ault
Representative Judy Kany
Chairpersons
Committee on State Government
State House
Augusta, Maine 04333

Re: L.D. 777, An Act Creating a State House and Blaine
House Commission

Dear Senator Ault and Representative Kany:

I have reviewed L.D. 777 in accordance with your request of
March 21, 1979.

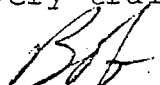
There is no legally significant difference between this bill
(L.D. 777) and the bill (L.D. 2172) offered last session to create
a State Capitol Commission. Both bills provide for a Commission to
perform essentially Executive Branch functions with the members
appointed by the Governor and by Legislative leadership.

Our opinion about the constitutional problems present in L.D.
777 is the same as that expressed with regard to L.D. 2172. L.D.
777 conflicts with the separation of powers clause, Article III,
and the Executive powers clause, Article V, of the Maine Constitution.

I am attaching our opinion of March 31, 1978, regarding L.D.
2172 and our opinion of September 16, 1977, regarding the Maine-
Canadian Exchange Advisory Commission. Both of these opinions
discuss the constitutional infirmities present in L.D. 777.

If I can be of further assistance in this matter, please call me.

Very truly yours,


ROBERT J. STOLT
Deputy Attorney General

RJS:mfe
Enclosures