

MAINE STATE LEGISLATURE

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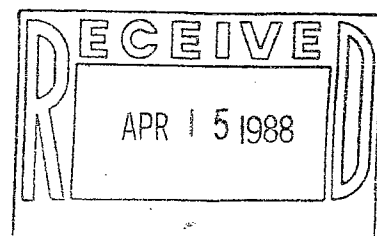
MEMORANDUM

To: Francis Ackerman, Assistant Attorney General
From: William R. Stokes, Assistant Attorney General
Date: April 12, 1988
Subject: Baxter State Park - Bureau of Public Improvements
Approval

This will acknowledge receipt of the March 29, 1988 memorandum to you from Dale Doughty, Director of the Bureau of Public Improvements asking for your advice with respect to a letter dated March 28, 1988 from Irvin (Buzz) Caverly, Director of the Baxter State Park, asking for confirmation that the Baxter State Park is not subject to BPI approval.

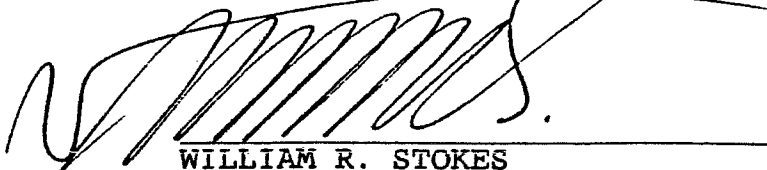
I have a very vivid recollection of discussing this subject with Paul Stern who represents the Baxter State Park, sometime ago and I am quite confident that it was our mutual opinion that the Baxter State Park should not and is not subject to BPI approval. I don't recollect that we ever put anything in writing concerning this but I know it came up and I know that I did discuss the matter with Paul and I believe with Carl Silsby of the Bureau of Purchases and, I believe with Rod Scribner who was the Commissioner of Finance and Administration at the time. My recollection is that it involved the purchase of a truck by the Baxter State Park and whether that purchase had to go through the Bureau of Purchases.

I believe Paul and I were both of the view that in view of the fact that the Baxter State Park was formed as a result of gifts made by Governor Baxter and since the Park was to be managed by an Authority established pursuant to the instructions of Governor Baxter, it would make absolutely no sense to apply BPI and Bureau of Purchases approval to the operation of the Park. Indeed, I do not believe that the Baxter State Park Authority is a department or agency of the State as that term is used in the context of BPI and Bureau of Purchases approval. I do agree with Buzz Caverly's assessment that it is



an independent authority created by virtue of Governor Baxter's Deeds of Trust and funded from its own independent trust account and it was intended that the Authority make decisions regarding the operation of the Park without being subject to the bureaucratic requirements of the Executive Department of State Government.

I hope this information is helpful to you and please don't hesitate to contact me if I can be of further assistance.



WILLIAM R. STOKES
Assistant Attorney General

WRS/dm

cc: Paul Stern, Assistant Attorney General ✓