

# MAINE STATE LEGISLATURE

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REVISED STATUTES

OF THE

STATE OF MAINE

1954

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1959 CUMULATIVE SUPPLEMENT

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ANNOTATED

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IN FIVE VOLUMES

VOLUME 1

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Place in Pocket of Corresponding  
Volume of Main Set

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THE MICHIE COMPANY  
CHARLOTTESVILLE, VIRGINIA  
1959

bers, the expenses of the board and for executing the provisions of law relating to each board respectively, and so much thereof as may be required is appropriated for said purposes. The secretary of each board shall also be reimbursed for all expenditures for books, stationery, printing and other necessary expenses actually incurred in the discharge of his duties. All such payments shall be made from the respective funds held in the state treasury as aforesaid, after the approval of the state controller; but in no event shall such payments exceed the amounts received by the treasurer of state from the treasurer of each respective board, except that in the discretion of the chief justice of the supreme judicial court, and with his written approval, any excess in the compensation and expenses of members of the board of examiners of applicants for admission to the bar over the receipts of said board shall be paid and met by transfers of sufficient funds from the appropriations for the supreme judicial and superior courts. Any balance remaining to the credit of any board at the end of any year shall be carried forward to the next year.

(1955, c. 271, § 2; c. 352, § 2. 1957, c. 397, § 14; c. 429, § 23. 1959, c. 303, § 3.)

**Effect of amendments.**—The first 1955 amendment inserted the words “the board of examiners in physical therapy” near the beginning of the first sentence, and the second 1955 amendment, which did not refer to the first amendment and did not incorporate the change made by it, inserted the words “the oil burnermen’s licensing board” near the middle of the first sentence. Both amendments have been given effect in the first paragraph of the section as set out above.

This section was amended twice by the 1957 legislature. P. L. 1957, c. 397, § 4 reenacted the first sentence as changed by the two 1955 amendments. Section 23 of

c. 429 added the words “of the profession” after the word “commissioners” and before the word “of” in the first sentence of the first paragraph.

The 1959 amendment substituted the words “state board of nursing” for the words “board of registration of nurses” near the beginning of the first sentence of the first paragraph.

As the second paragraph was not changed by the amendments, it is not set out.

**Effective date.**—P. L. 1957, c. 429, amending this section, became effective on its approval, October 31, 1957.

## Chapter 19.

### Department of Audit

**Sec. 1. State auditor; salary.**—The state auditor shall be the head of the department of audit as heretofore established. He shall be a certified public accountant or shall have had satisfactory experience as an auditor of public accounts. He shall be elected by the legislature by a joint ballot of the senators and representatives in convention and shall hold office for a term of 4 years or until his successor is elected and qualified. He shall exercise such powers and perform such duties as are set forth in the subsequent sections of this chapter. In case the office of state auditor shall become vacant during a period when the legislature is not in session the appointment of a person to fill such vacancy shall be made immediately by the president of the senate or if that office be vacant, by the speaker of the house, said person to hold office until such time as the legislature shall meet in regular or special session, and either confirm the appointment of said person or choose another person to fill the office during the unexpired term. He shall receive an annual salary of \$10,000. (R. S. c. 16, § 1. 1947, c. 405. 1951, c. 412, § 4. 1955, c. 473, § 4. 1957, c. 418, § 4. 1959, c. 361, § 4.)

**Effect of amendments.**—The 1955 amendment increased the annual salary of the state auditor from \$7,000 to \$8,000.

The 1957 amendment, effective July 1, 1957, increased his annual salary from \$8,000 to \$9,000 and carried appropria-

tions for fiscal years ending in 1958 and 1959.

The 1959 amendment increased the salary of the auditor from \$9,000 to \$10,000 and carried appropriations for the fiscal years ending June 30, 1960 and 1961.

**Effective date.** — P. L. 1959, c. 361, this act shall become effective for the amending this section, provided in section 14 thereof as follows: "The provisions of week ending August 22, 1959."

### Sec. 3. General powers and duties.

**III.** To install uniform accounting systems and perform audits for cities, towns and villages as required by sections 24 to 26, inclusive, of chapter 90-A. (1957, c. 405, § 6.)

**Effect of amendment.** — The 1957 amendment changed the reference in subsection III from sections 142 to 151, inclusive, of chapter 91 to sections 24 to 26, inclusive, of chapter 90-A. As only subsection III was changed by the amendment, the rest of the section is not set out.

## Chapter 20.

### Attorney General.

**Sec. 1. Duties; salary; fees.**—The attorney general shall appear for the state, the secretary of state, the treasurer of state, the bank commissioner, the insurance commissioner, the head of any other state department and the state boards and commissions in all suits and other civil proceedings in which the state is a party or interested, or in which the official acts and doings of said officers are called in question, in all the courts of the state; and in such suits and proceedings before any other tribunal when requested by the governor or by the legislature or either branch thereof. All such suits and proceedings shall be prosecuted or defended by him or under his direction. Writs, summonses or other processes served upon such officers shall forthwith be transmitted by them to him. All legal services required by such officers, boards and commissions in matters relating to their official duties shall be rendered by the attorney general or under his direction. Said officers, boards and commissions shall not act at the expense of the state as counsel in any suit or proceedings in which the state is interested. The attorney general shall have an office in the state capitol and shall receive an annual salary of \$10,000 in full for all services and in lieu of all fees. He shall receive his actual expenses incurred in the performance of his official duties while away from his home. During his term of service, he shall not be an officer or director of any corporation engaged in business for profit within the state of Maine.

For approval of certificate of organization of a corporation under chapter 53, \$10 in advance.

For approval of certificate of change of purpose under chapter 53, \$10.

(1955, c. 473, § 5. 1957, c. 129, §§ 1, 2; c. 418, § 5. 1959, c. 361, § 5.)

**Effect of amendments.** — The 1955 amendment increased the annual salary of the attorney general from \$7,000 to \$8,000.

The first 1957 amendment increased the fee of the attorney general in the third paragraph from \$5 to \$10 and inserted the last paragraph set out above as the fourth paragraph of this section. The second 1957 amendment, effective July 1, 1957, increased his annual salary from \$8,000 to \$9,000 and carried appropriations for the fiscal years ending in 1958 and 1959.

The 1959 amendment increased the salary of the attorney general from \$9,000 to \$10,000 and carried appropriations for the fiscal years ending June 30, 1960 and 1961.

As the rest of the section was not changed by the amendments, it is not set out.

**Effective date.** — P. L. 1959, c. 361, amending this section, provided in section 14 thereof as follows: "The provisions of this act shall become effective for the week ending August 22, 1959."

### Sec. 4. Public charities.

Stated in *Pierce v. How*, 153 Me. 180, 136 A. (2d) 510.

Cited in *Belfast v. Goodwill Farm*, 150 Me. 17, 103 A. (2d) 517.