

# MAINE STATE LEGISLATURE

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April 13, 1938

John S. S. Fessenden, Esquire  
Assistant Attorney General  
Maine Unemployment Compensation Comm'n  
Augusta, Maine

Dear Mr. Fessenden:

In your letter of April 8, you enclose copy of a communication received from Harold T. Martin, Regional Representative of the Social Security Board in Boston, inquiring about the procedure followed in the State in charging court costs to State departments, and asking for the opinion of this office on certain questions. Answering these questions in the order in which they are set forth in Mr. Martin's letter I will say to you:

1. That there are no definite appropriations made to cover court costs and service of writs in connection with suits to enforce collection of contributions under the unemployment compensation law.
2. There is no statute making such expenditures chargeable to the office of the Attorney General or to any other State agency. When any case is brought into this office in which suit is required, it is our custom to pay the charges for service and entry of writs from our own general appropriation. We have so few such suits and the expenditures have been so small that we have always been able to absorb them as a part of the general running expenses of the office.
3. When suits are brought by the other departments such, for instance, as the Highway Commission or Department of Health and Welfare, and do not come in to this office these expenses are paid out of departmental funds.

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It would seem proper that when any department found it necessary to bring any large number of suits for collection of accounts, or enforcement of its orders that that department should bear the expense incurred until such time, at least, as the Legislature makes a definite appropriation to our department, or some department, to cover this expenditure.

Very truly yours,

Franz U. Burkett  
Attorney General

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