

MAINE STATE LEGISLATURE

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February 20, 1940

The Honorable Lewis O. Barrows
Governor of Maine
Augusta, Maine

My dear Governor Barrows:

In your letter to me of January 24th, you call my attention to the fact that at the present rate at which expenditures are being made in the department of health and welfare, the appropriation made to that department for support of State paupers by the last session of the Legislature will be exhausted before the end of the fiscal year.

You then ask if in my opinion the State would be justified in withholding further expenditures in the State pauper division after the appropriation made therefor is exhausted.

I cannot believe that the fact that the appropriation made by the last Legislature for the support of State paupers is exhausted would justify withholding aid and support for those unfortunate people who are in distress and who come within the classification of State paupers. Neither can I believe that the last session of the Legislature, which apparently did not appropriate enough money for the support of State paupers, intended that if the amount appropriated therefor was insufficient, future support for such State paupers should be withheld.

During the past several fiscal years this appropriation has been insufficient and, when exhausted, funds have been used from other sources and the next session of the Legislature has appropriated funds to meet the deficit thus created, thereby apparently ratifying the action of the State government in continuing such support in spite of the insufficiency of the appropriated funds. It was to meet such situations that the contingent fund was created as provided in Section 103 of Chapter 2 of the Revised Statutes.

Very truly yours,

Franz U. Burkett
Attorney General