

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE

---

REPORT

OF THE

ATTORNEY GENERAL

---

for the calendar years

1941--1942

Rather a surprising distinction between the apparent meaning of a word when used in two different sections of the same statute is to be found in the said Chapter 325 in regard to employees. In Section 2, the word employee is primarily used in its strict meaning. In Section 4, on the other hand, we have a provision for automobile mileage allowance. Inasmuch as privately owned automobiles are used by some employees of the State in all classifications, it is obvious that the word employee, when used in Section 4, includes every person regularly employed by the State. Therefore, a distinction, such as I have called attention to above, between employee and officer, does not, in my opinion, apply to said Section 4.

Attorney General

January 30, 1942

Honorable George J. Wentworth  
Councillor, First District  
Kennebunk, Maine

Dear George:

In reply to your query as to whether or not the County Commissioners may spend the county's money for advertising the county and its natural resources, the answer is, "No." The powers of the County Commissioners are wholly of the delegated type. They have no inherent rights to spend the money of the county except as authorized by statute, and there is no such statutory authority.

As you will recall, the County Commissioners biennially submit to the Legislature their detailed estimates as to expenditures for each of the following two years and the estimates have to meet legislative approval before they have the authority to spend the money. Any emergencies can be met through the issue of bonds up to \$10,000, but in my opinion advertising the county's resources would not be such an emergency.

Very truly yours,

FRANK I. COWAN  
Attorney General

February 11, 1942

From:  
Frank I. Cowan, Attorney General

To:  
George J. Stobie, Commissioner  
Fish and Game Department

*In re Archer L. Grover, Deputy Commissioner*

I have your memo of January 28th asking whether time spent by Archer L. Grover as instructor at the University of Maine will in any way help him toward receiving a State pension if he retires at the present time.