

MAINE STATE LEGISLATURE

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February 2, 1943

J. A. Mossman, Finance Commissioner

From Frank A. Farrington, Deputy Attorney General

Lapsed Balances, Department of Health and Welfare

Reference is to your memorandum of November 21st, and supplemental memorandum of December 23rd, 1942 on the above named subject.

It is the opinion of this department that the Prophylactic Rubber Goods balances, the Regulation of Cosmetics balances and the Plumbing Control balances which were lapsed subsequent to July 1, 1935 were improperly lapsed and should be restored to the department involved.

The question of the balances for the Licensing of Eating and Lodging Places presents a more difficult question, but it is the opinion of this department that the general policy of the Legislature as indicated by Chapter 170, P. L. 1939 is for the fees to be used to enforce and carry on the licensing provisions, and not to be used as general revenue for the State. This being so, any of these balances lapsed subsequent to July 1, 1935 were improperly lapsed and should be restored.

Frank A. Farrington
Deputy Attorney General

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