

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)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

July 11, 1945

To C. P. Bradford, State Park Commission

Re: Lapsing of Funds.

I received your memo dated March 7th on July 9th, as per my request, as I cannot find my office copy of said memo. With the memo of March 7th you enclosed copies of letters from the State Controller and the State Auditor, referring to the lapsing of Commission funds.

In the memo from Mr. Allen, dated January 15, 1945, he quotes Chapter 144, Section 2 (k) of the Public Laws of 1935, as follows:

"All moneys received by the commission shall be deposited with the treasurer of state, who shall maintain a separate fund which shall be used for the continued maintenance and development of said parks."

I will say that Chapter 144 of the Public Laws of 1935 was repealed by the legislature in September, 1944. The Revision Committee rewrote Section 2 of Chapter 144, P. L. 1935, which is now incorporated in Section 23 of Chapter 32, R. S. 1944, and I note that paragraph (k) was left out of Section 23, and all of that section of Chapter 144, P. L. 1935, was repealed except paragraph (g) of said Section 2, which was the interpretation clause of said Act.

In regard to the amounts lapsed by the Controller in the amounts of \$38.41 on June 30, 1943, and \$30.44 on June 30, 1944, it is my opinion that this revenue should not have been lapsed, and that future balances existing because of revenues received from the State parks and memorials should be carried over to the next fiscal year.

Ralph W. Farris
Attorney General

RWF:c

cc: J. J. Allen, Controller
Fred M. Berry, State Auditor

See Cf. July 18, 1945