

# 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**

**1945-1946**

MAINE STATE  
LIBRARY

It is my opinion that Section 99 of Chapter 19 confers such authority upon the State Highway Commission and upon the appropriate highway officials. The last part of said section reads as follows:

“. . . the intent of this chapter being to confer upon the state highway commission, and upon the appropriate highway officials, broad regulative authority to encourage reasonable use of the ways and bridges and to correct abuse thereof; such delegated authority being necessary in the opinion of the legislature for the reasonable use and proper protection and continued maintenance of the ways and bridges of this state.”

It is my opinion that the language of this statute gives the Commission authority to restrict parking along the highways or on the approaches to bridges, where the parking of cars has become a nuisance and a hazard to the free movement of traffic.

RALPH W. FARRIS  
Attorney General

October 8, 1945

To John C. Burnham, Administrative Assistant, SHC

Your memo of October 4th received, asking my opinion whether under the Personnel Board Rule 11, Part 2, a state employee, receiving injury by accident arising out of and in the course of his employment, would be entitled to benefits under the provisions of the Workmen's Compensation Act and the balance of his weekly wages as sick leave pay up to the number of days of sick leave due him.

My opinion is that the employee receiving the benefits under the provisions of the Workmen's Compensation Act is not entitled to the balance of his weekly wages as sick leave, as sick leave and accidents should be distinguished in the payment of benefits under the Workmen's Compensation Act.

RALPH W. FARRIS  
Attorney General

October 17, 1945

To Miss Esther Lipton, Director of Special Education for Physically Handicapped Children

Re: Examinations of Physically Handicapped Children

I have your memo of October 17th propounding four questions:

1. Is the diagnosis of an M. D. considered legal in the State of Maine?

*Answer.* Yes.

2. Is the diagnosis of an Osteopath considered legal in the State of Maine?

*Answer.* The diagnosis of an osteopath would be legal for certain physical conditions which said osteopath has been trained to treat.