

MAINE STATE LEGISLATURE

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June 7, 1946

To W. C. Philoon, Administrative Assistant
Executive Department

Mr. Breitbard, my Deputy, had a memo from you, with letter attached from Chief Laurence C. Upton of the Maine State Police, relating to the funds to complete the erection of barracks at Scarborough. I note that Chief Upton states in his letter to the Governor, dated May 27th, that \$25,000 was set up by the legislature for the construction of the barrack, \$3500 for the purchase of a suitable lot, and \$1500 for incidental expenditures. The lot was purchased last year, as this office approved title and deed to same. I also note that the Superintendent of Buildings has notified the Chief of the State Police that the architects have notified him that the proposed building will cost \$35,000 instead of the original estimate, which was made at \$20,000, due to increased cost of labor and material and to changes in the foundation; and that the department will need an additional \$15,000 if they go ahead with the project.

The Chief wonders, in his letter to the Governor, if this is of sufficient importance to have it presented to the special session of the legislature to be convened some time in July, and asks, if the Governor does not deem it advisable to present this matter to the special session of the legislature, if it could ^{be} taken care of by the Governor and Council. He further states that the money for his department is drawn 90% from Highway funds and 10% from the General Fund of the State, and he presumes that it would mean that \$13,500 would have to be transferred from the Highway account and \$1500 from the Contingent Fund.

He further states that if this could be done, July 1, 1946, it would not place any extra burden on the Highway Department, because he is fairly sure that he will turn back to the Highway Department from the Highway appropriation a sum in excess of \$13,500.

In your letter you ask this department to give an opinion to the Governor as to the carry-over of the Highway funds, in accordance with the last paragraph of the letter from Chief Upton.

I have just talked with Chief Upton on the telephone and he advises me that the appropriation provided for under the provisions of Chapter 107, P&SL 1945, still has more than \$20,000 on hand for the purpose of erecting the barracks at Scarborough, and it is my opinion that when the time comes to construct these barracks, and the appropriation is not sufficient to carry on this construction, the Governor and Council would be justified in taking care of this deficiency to carry out the intent of the legislature. I don't believe that it should be presented at the coming special

session of the legislature, because we have no facts or figures upon which to base a Resolve for a supplemental appropriation.

I understand that the estimate by the architects was made two years ago, and prices for both labor and material have risen sharply since then.

This matter should be brought to the attention of the Governor and Council in a statement of facts, at the proper time, when the figures on the project are all available, and the reason and amount of the deficiency should then be stated, so that the Governor and Council can consider the matter intelligently.

In regard to the carry-over of the Highway funds, the unexpended appropriation lapses on July 1st, and the 90% would be lapsed to the Highway fund and 10% to the General Fund, and there would be no carry-over for the purposes of construction on the Scarboro barracks.

Ralph W. Farris
Attorney General

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