

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1945-1946

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Security Board has no power to amend our statutes by writing in the words "or delay" where same were not placed there by the legislature.

I would suggest to the applicant that he base his reason for appeal, 1) he was denied assistance; 2) he was not satisfied with the amount of assistance; 3) he is aggrieved by a decision of the department.

RALPH W. FARRIS
Attorney General

July 17, 1946

To H. H. Harris, Acting Controller

I have your memo of July 15, asking whether, under the provisions of Chapter 79, P. & S. Laws 1941, where authority is given to the Treasurer of State under the direction of the Governor and Council to issue bonds not exceeding \$2,000,000 to be used for the purposes stated in that chapter, this authority still holds for the year 1945-46. In answer to this I will say that it is the opinion of this office that the said special law was passed in 1941 under the emergency clause for military purposes, and the emergency for which this authority was created has ceased to exist and that the authority does not hold for the year 1945-46.

Your second question is whether or not under Chapter 104, P. & S. Laws 1941, Special Session Laws, 1942, where authority is given to the Treasurer of State with the approval of the Governor and Council to issue bonds up to \$1,000,000 to be used for the purposes stated in that chapter, such authority still exists for the year 1945-46. In answer to this second question I will say that it is the opinion of this office that the purposes for which this bond issue was authorized by the legislature have ceased to exist, as it was passed under emergency legislation and the emergency for which it was passed has ceased to exist and some of the bonds, as I understand it, have been issued and the money available under the act was impliedly to be expended in the fiscal years ending June 30, 1942 and June 30, 1943, and any unexpended balance should not lapse but be carried over to the same account to be used only for the purposes set forth in the act. It is my opinion that this authority does not hold for the year 1945-46.

RALPH W. FARRIS
Attorney General

August 5, 1946

To Harry V. Gilson, Commissioner of Education

I have your memo of August 5th, stating that Kezar Falls Village, which includes parts of the towns of Parsonsfield and Porter, is located on the two sides of the Ossipee River and that both towns maintain schools within the village limits. You further state that the school committees of the two towns have formulated a plan for pooling their school building facilities so that each teacher would have pupils of one grade