

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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Police budget for what you consider sufficient money to provide men to police this road. However, you feel that there is one question which the budget committee is sure to ask and that is whether or not the Turnpike Authority will be required to reimburse the State for the police services, and you ask my opinion as to whether the expenses for policing the turnpike are to be borne by the State or by the Turnpike Authority.

I quote from the last paragraph of Section 11, subsection (a):

“The Authority may utilize the services of the state police to enforce the rules and regulations of the Authority with respect to tolls, volume, weight and speed of traffic, and with respect to such other matters of enforcement as it may in its discretion require.”

From the language of this statute just quoted, it is not mandatory upon the Authority to utilize the services of the State Police; and in view of the fact that all charges and costs for other services by the State Highway Commission are to be paid by the Authority, I am of the opinion that it was the intent of the legislature that the State Police should be reimbursed by the Turnpike Authority for any services which it may in its discretion require of the State Police.

RALPH W. FARRIS
Attorney General

October 1, 1946

To W. C. Philoon, Administrative Assistant, Executive Department

The creation of municipal corporations and the manner of administering the same, the officers to be chosen to administer the affairs of the corporations, and all the other details necessary to run the affairs of the corporations are the subject of legislative action.

The Governor of the State is not vested with power to set up a system of government for municipal corporations.

ABRAHAM BREITBARD
Deputy Attorney General

October 2, 1946

To the State Highway Commission

Mr. Church left some correspondence here with relation to dead trees on the Rogers Road in the town of Kittery. Evidently the selectmen of that town are of the impression that the duty devolves on the State Highway Commission to remove these trees.

It seems to me, however, that this situation is governed by Section 22 of Chapter 84, which imposes the duty on towns and the abutting owner.

ABRAHAM BREITBARD
Deputy Attorney General