

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1947 - 1948

June 20, 1947

To George E. Hill, Public Utilities Commission

Your letter of June 20th received, calling my attention to Chapter 362 of the Public Laws of 1947, approved May 9, 1947, entitled "AN ACT Relating to the Gasoline Tax," which contains a provision amending Chapter 44 of the Revised Statutes by adding thereto a new section to be known as 1-A. You call my attention to the fact that this new section requires interstate bus operators regularly engaged in transporting passengers for hire by motor vehicles on the public highway between points within and points without the State to obtain a permit for such operation from the Public Utilities Commission, which, with certain exceptions, is to be issued to them as a matter of right.

In my opinion the primary purpose of this amendment was to facilitate the administration of the gasoline tax imposed by the provisions of the act aforesaid.

In the third paragraph of your letter you call my attention to the fact that under Chapter 44 intra-state buses must obtain insurance before a certificate may be issued to them; and you inquire whether or not the insurance provisions of Chapter 44 of the Revised Statutes have any application to "permits" to be issued to interstate bus operators under this amendment.

In reply I will say that it is my opinion that the insurance provisions of Section 8 of said Chapter 44 have no application to the permit provided for under Section 2 of Chapter 362, P. L. 1947, but apply only to intrastate operation of motor vehicles.

RALPH W. FARRIS
Attorney General

June 20, 1947

To Marion B. Stubbs, Librarian

I received your memo of June 18th, stating that in many of our free public libraries the housing of the laws, statutes and court reports distributed to them by the State is a serious problem, and calling my attention to Sections 18 and 19 of Chapter 38, R. S. 1944, as amended by Chapters 7 and 378 of the Public Laws of 1945. You state that a library may ask the State Library to refrain from sending any more of these publications, and you ask whether or not a library can dispose of other volumes previously received and now on hand.

It is my opinion that it cannot, as the State is trustee of these volumes placed in the local libraries. Section 29 provides that

" . . . the same shall be constantly kept in said library for the use and benefit of all the citizens. . . ."

and each librarian is supposed to send you a list of all books and documents purchased with the state stipend for the preceding year.

Title is in the State in trust.

RALPH W. FARRIS
Attorney General