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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1947 - 1948

August 5, 1947

To Earle R. Hayes, Secretary, Employees' Retirement System
Re: Additional Privileges of Law—Local Participating Districts

You state in your memo that it is your understanding that any local district which was in the System as of July 1, 1947, may continue to operate under the original provisions of Chapter 60 of the Revised Statutes or may elect to take on any or all of the benefits and privileges set forth in the revised law as indicated in Section 22 of Chapter 384, P. L. 1947.

In line with our conversation at my office a few days ago, relating to additional benefits and privileges of which the participating local districts may avail themselves, it is my opinion that your understanding is correct and that any local district which was in the System as of July 1, 1947, may continue to operate under the original provisions of Chapter 60, R. S. 1944, or it may elect to take on any or all of the benefits and privileges as indicated in Section 22, Chapter 384, P. L. 1947.

RALPH W. FARRIS
Attorney General

August 5, 1947

To A. K. Gardner, Commissioner of Agriculture

Your memorandum of July 8th has been received, supplemented by memo of July 31st, regarding land leased by the University of Maine from the United States Government, situated in Stillwater in the city of Old Town. You advise that there are some persons who feel that the University should acquire title to this land, and your inquiry is whether the same would be subject to taxation by the municipality.

I assume that title to this land is going to run to the University of Maine rather than the State of Maine. If to the State of Maine, it would unquestionable be exempt from taxation. If title is to be taken by the University of Maine, then it would be exempt only if used in connection with the purposes for which the University is established.

ABRAHAM BREITBARD
Deputy Attorney General

August 6, 1947

To E. W. Campbell, Director, Sanitary Engineering
Re: Testing of Water Supplies for Public Schools

Your memorandum of July 15, 1947, concerns Chapter 305 of the Public Laws of 1947. You ask whether it would be permissible for the department to charge less than the average cost of making an analysis of water for drinking or culinary purposes, required by said statute.

The statute provides: "The department shall charge the average cost of the analysis for such examination to the municipality required to have such test made."

The language here is clear and unambiguous and therefore does not permit of an interpretation which is opposed to its clear and express terms. The answer therefore is, No.

ABRAHAM BREITBARD
Deputy Attorney General