

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1947 - 1948

However, his estate is entitled to pay for any days that he actually worked for the State, and the administrator of his estate or the executor of his will can sign a receipt for pay for the days worked before the decease of the employee. For the Saturdays and Sundays that he worked his estate is entitled to receive pay at the regular rate therefor.

RALPH W. FARRIS
Attorney General

July 6, 1948

To H. A. Ladd, Commissioner of Education
Re: Records, Maine Teachers Retirement Association

Referring to your memo of June 14th, relating to the request of Earle Hayes of the Employees' Retirement System that your department turn over every record of any sort which you have in your department bearing on teachers' pensions, I will say that the legislature did not provide for such a transfer of records as is demanded by Mr. Hayes, and at this time the records of the administration of the Commissioner of Education should be kept in your office, until a Resolve is passed by the legislature ordering them turned over to the Secretary of the Employees' Retirement System.

The records are in your office and are available, but these are the records of another Board.

I presume that the records of all meetings of the Pension Board are available in your office, and it would be proper to lend Mr. Hayes the record relating to any particular case that he had in mind.

As to the wholesale turning over of the records of the Teachers' Retirement Association, I advise against it until you have authority from the legislature to do this.

RALPH W. FARRIS
Attorney General

July 6, 1948

To Richard E. Reed, Commissioner, Sea and Shore Fisheries
Re: Section 2, Chapter 23, Laws of 1937 (Resolves)—Beam Trawls

On June 10th I talked with you in regard to the use of otter trawls in places where the statute prohibits the use of the beam trawl, and you left a memo in my office asking for an interpretation of Section 2, Chapter 23, Resolves of 1937, which regulates fishing for ground fish in Sheepscoot Bay.

This Resolve provides that the Commissioner shall repeal the rules and regulations numbered 6 and 7 and issue two new rules in place thereof, and I presume that these rules and regulations have been legally promulgated and are now in effect. Regulation (2) in Chapter 23 provides:

"It shall be unlawful to fish for or to take with beam trawls any fish from the waters subject to the jurisdiction of this state northerly from a line drawn from Cape Small Point to the North End Sequin Island thence in an easterly direction to Pumpkin Island and thence in a northerly direction to Ocean Point."

This was an emergency Resolve and became effective on March 18, 1937, when approved by the Governor.