

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1947 - 1948

Section 10 of said Chapter 88 provides that when all the bonds are retired and bills paid, such bridge shall cease to be operated as a toll bridge and shall, thereupon, be a free bridge, the property of the State of Maine, to be maintained by the State, and the trustees shall be discharged and the Bridge District terminated. Therefore in my opinion you have no authority to invest the funds of the Deer Isle-Sedgwick Bridge, because they are technically in the hands of the trustees and not in the hands of the Treasurer of State for investment.

Finally you ask if the Treasurer of State does invest these funds, what investments are considered legal.

Bonds, notes, certificates of indebtedness, or other obligations of the United State of America, which mature not more than 1 year from the date of investment, as provided in Section 11, Chapter 15, R. S., above cited.

RALPH W. FARRIS

Attorney General

October 6, 1948

To Mrs. Marion B. Stubbs, Librarian, State Library

I have your two letters of September 30th, one of which relates to the provisions of Section 22 of Chapter 38 of the Revised Statutes, which provides for the distribution of records of vital statistics to certain institutions and officers and provides that the remainder shall be placed in the State Library "for exchange or library use." You inquire about the use of the words "exchange or library use," and state that after the distribution permitted by law there are a great many copies of these publications remaining for which you have no room and which you do not need for library use.

I would not throw them away without petitioning the Committee on the Destruction of Old Records for permission to do so.

In regard to your question relating to the interpretation of Section 29 of said chapter, which provides that the officers of each free public library shall send annually to the State Library a list of all books and documents received from the State Library and a list of all books and documents purchased from the State stipend, and further provides that the State stipend shall be withheld unless such report is rendered before May 1st, all that I can say in regard to this section is that it is on the statute books, has never been amended or repealed, nor has any decision been rendered by our courts interpreting its provisions. What I should do, if I were in your position, would be to have the libraries furnish you with the post card forms supplied by you at various times during the year and keep those on file. If you care to make a change in the procedure of your office and require the officers of every public library to submit a list of all books purchased with the State stipend during the preceding year and of all books and documents received from the State Library, of course you can do so, as that is what the law provides; and if they should refuse to render said report, the aid from the State to free public libraries could be withheld until they did file such report. It seems to me that this is a matter of administration, rather than one for interpretation. The statute is very plain and needs no interpretation.

The answer to your question in the last paragraph, "Is it the duty of the State Librarian to require such list under the present law?" is, Yes.

RALPH W. FARRIS

Attorney General