

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1947 - 1948

October 19, 1948

To State Park Commission
Re: Use of State Property

This department is informed by Mr. Bradford that the War Assets Administration desires a certificate relative to the non-discriminatory use of surplus property at Fort Popham which the Federal Government proposes to transfer to the State of Maine. I understand that this property is to be used in connection with the Memorial Park at Fort Popham.

All public parks, and for that matter all property of the State for public use, may be used by all persons in the State without regard to race, religion or creed and there is no discrimination on that account.

ABRAHAM BREITBARD
Deputy Attorney General

October 20, 1948

To W. O. Bailey, Education
Re: Sale of School Buses

You have submitted to this department a letter written by a superintendent of schools inquiring about the disposition of conveyances used to transport pupils to schools, where these have been replaced by the purchase of new school buses.

There is no reference in the statute to the purchase of these conveyances by municipalities. The only provision is that the superintending school committee may contract for the transportation of pupils. You advised me, however, that instead of contracting for such transportation, buses have been purchased by towns for that purpose. In some instances the buses were purchased by towns out of their general funds and in others by the school committee from the appropriated maintenance fund.

The question now arises whether the old vehicles shall be sold by the school committee or by the selectmen of the town.

These vehicles, like all other school property, belong to the town, whether purchased from the general fund of the town or from the maintenance account of the schools. The title of such property is in the town. The custody is under the control and supervision of the school committee.

It seems to me that the sale should be made by the officials of the town and the proceeds thereof return to the account from which the purchase was made. If from the maintenance account, the proceeds should be deposited to that account.

ABRAHAM BREITBARD
Deputy Attorney General