

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1947 - 1948

"2. What legal steps are necessary for such rentals?"

Answer. Proper steps would be to secure Council Order authorizing the Commissioner to enter into a lease, which lease would be subject to approval by the Attorney General's Department as to form.

RALPH W. FARRIS
Attorney General

November 4, 1948

To Ernest H. Johnson, State Assessor

I have your memo of November 2nd, stating that the Commissioner of Education is in possession of several school buildings in deorganized places which, because of the fact that there is no apparent present or future need for them, he proposes to turn over to the State Tax Assessor under the provisions of Section 13 of Chapter 90, R. S., as amended by Chapter 182 of the Public Laws of 1945. You submit the following questions:

"1. Is the State Tax Assessor obliged to make immediate disposal of these buildings?"

Answer. There is no provision of law which obligates you to make immediate disposal of these school buildings. You may use your own discretion in disposing of same.

"2. May the State Tax Assessor rent, grant or otherwise transfer use or ownership, for a limited time or permanently, to any department of state, local association or individual through private sale or agreement?"

Answer. I have just answered a similar memo for the Commissioner of Education, in which I have ruled that he has authority under Section 153 of Chapter 37, R. S., to rent certain schoolhouses which may again be used for school purposes, with authority from the Governor and Council; and in answer to your question 2 I will state that you should secure authority by Council Order to rent any of the school buildings which are released to you by the Commissioner of Education to any department of the State, local association, or individual through private sale or agreement, provided said agreement or lease is approved as to form by this office.

RALPH W. FARRIS
Attorney General

November 5, 1948

To Col. Francis J. McCabe, Chief, Maine State Police
Re: Spotlights

I have your memo of November 3rd calling my attention to Section 116 of Chapter 19, R. S., as amended by Chapter 320 of the Public Laws of 1947.

You will note by the amendment of 1947 that fog or auxiliary lights shall emit a white or amber beam of light.

You state that some automobiles are delivered to the owner equipped with two spot lights, one on each side of the car. You have been asked if, after the bulb and wire are removed from one of these spot lights, it would be considered a spot light.