

MAINE STATE LEGISLATURE

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STATE OF MAINE

R E P O R T

OF THE

ATTORNEY GENERAL

for the calendar years

1949 - 1950

March 25, 1949

To Col. Francis J. McCabe, Chief, Maine State Police

Re: Stopping Truck Drivers and checking on their union cards

I have your memo of March 24th, enclosing a pamphlet from the International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America, affiliated with the American Federation of Labor.

Our law enforcement agencies of Maine cannot be used to enforce and check on labor union activities, and no one but accredited law enforcement officers can stop motor vehicles on the highways of our State. If members of a union stop motor vehicles on our highways, they do so at their own peril. That is a matter that the members of the union should take up with the employers of truck drivers before they are on the road.

However, if a truck driver is off the highway at a filling station or in the yards of the trucking concern, it would be proper for the union checkers to confer with the members of their union to see if their dues are paid. Do not permit them to direct truck drivers to drive off the highways while they are in the operation of motor vehicles.

I think you should advise the union representatives just how far they can go under our law in checking members of their union who are operating motor vehicles under licenses from the State of Maine.

RALPH W. FARRIS
Attorney General

March 25, 1949

To David B. Soule, Insurance Commissioner

Re: Journal Transfer #1394, \$652, Health & Welfare to Insurance,
Appropriation #7230.

It has been called to my attention by the State Department of Audit that your department has been charging the Health and Welfare Department for expenses for investigations and inspections by your department, which is provided for under Section 29 of Chapter 85, R. S., as amended by Section 8 of Chapter 188, P. L. 1947, which provides that every fire insurance company which does business or collects premiums or assessments in this State shall pay to the State tax assessor on the first day of May annually, in addition to the taxes now imposed by law to be paid by such companies or associations one-half of one per cent of the gross direct premiums for fire risks written in the State during the preceding calendar year, etc. The State tax assessor shall pay over all such receipts from such tax to the Treasurer of State daily. Such funds shall be used solely to defray the expenses of such investigations and inspections by the Insurance Department and are appropriated for such purposes.

This section further provides that whenever there shall accumulate in this special fund created by this section a surplus sufficient to defray the expenses of such investigations and inspections for an ensuing period of 1 year, then in the discretion of the Insurance Commissioner the special tax for that year may be omitted, and the Insurance Commissioner shall certify to the State tax assessor that the special tax is to be omitted. Said certification is to be made not later than the 31st day of January of the year for which the tax would otherwise be assessed, etc.