

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 31, 1949

To A. M. G. Soule, Chief, Division of Inspection, Agriculture

I have your letter of March 29th, asking for an opinion concerning packers of cat food. You state that you have interpreted the law to mean that a license was required only if herring was employed for packing sardines; but inasmuch as the same type of fish, namely *clupea harengus*, is used in packing cat food, you ask whether license provisions should apply in that case.

It seems to me that the licensing provisions would apply to sardines packed for human consumption and not to anything packed for animal food.

RALPH W. FARRIS
Attorney General

April 5, 1949

To David H. Stevens, Commissioner of Health and Welfare

Your memo of March 22nd, addressed to my Assistant, Jean L. Bangs, has been referred to me for attention. You state that a representative of the Veterans Administration has stated that the policy of the Veterans Administration in respect to awards made to the Department of Health and Welfare as guardian of committed children is to safeguard all monies. They intend that all such monies shall be turned over to the child at maturity or when dismissed from custody.

In reply I wish to state that this is not the policy of the State concerning wards of the State who have been committed by the court under the provisions of the statute committing such children to the custody of the State. If the child's parent is able to contribute to the support of his minor child or children, the department can request the court to order the parent to contribute to the support. If the parents of the child hold property of the child which is available in the hands of the parents or guardians, there is a liability against the child's property for the payment for care, education and maintenance furnished during the existence of the custody by the State, and an execution may issue for any sums when payable as in actions of tort.

It has been the policy of the State to consider that payments made to the State by the Veterans Administration were for the purpose of aiding in the care, education and support of the child in the custody of the State. The monies paid by the Veterans Administration to the Department of Health and Welfare as guardian of the minor child of a veteran are not payments to the veteran, but to the guardian of the child, because the child is the son or daughter of a veteran. The idea is not to have the child fully dependent upon the State for its care and support, because of the fact that the child's father was in the military service in time of war. It is the policy of the State to consider that monies paid by the Veterans Administration are for the benefit of the child during its minority and not for its benefit after it attains its majority.

The accounts of the department as guardian should be kept the same as any guardian's under the Uniform Veterans' Guardianship Act. All monies on hand in the department must be turned over to the child at majority or when discharged from the custody of the State.