

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

October 10, 1949

To Lester E. Brown, Chief Warden, Inland Fisheries and Game
Re: Hunting Licenses—State Wards

I have yours of September 29th, stating that you have a problem with regard to certain boys, ranging in age from twelve to seventeen years, who are State wards desiring hunting licenses. You want to know my opinion as to the application to this problem of paragraph six, Section 63 of the Tenth Biennial Revision. Your question is, "Who would constitute the parent or guardian if the ward was to be permitted to hunt without a license, and by the same token who should sign the 'Written Consent'?"

In the case of State wards, the State institution in charge of the State ward would be the one that would sign the written consent, if there was no parent living or legal guardian appointed. I do not believe that the Department of Health and Welfare or the State institution in charge of minors should be signing written consents for hunting licenses for State wards, however.

RALPH W. FARRIS
Attorney General

October 10, 1949

To Ernest H. Johnson, State Tax Assessor
Re: Disposal of Schoolhouses in Deorganized Towns

I have your memo of October 4th, relating to the disposal of schoolhouses in deorganized towns by the State Tax Assessor under the provisions of Section 13 of Chapter 90, R. S., as amended, which section reads in part as follows:

"The state tax assessor shall have the authority to sell or otherwise dispose of any property, . . . provided that he shall first obtain written permission from the commissioner of education. . . Such sale or disposal may take place at any time subsequent to deorganization and the proceeds from the sale shall be expended as is provided for in this section."

On the basis of this statute you ask the following question:

"Under the above provision of the law, has the state tax assessor the right to dispose of schoolhouses declared surplus by the Commissioner of Education by transfer to the Forest Commissioner for demolition?"

It is my opinion that having first obtained the written permission of the Commissioner of Education, you have a right to dispose of said property, if you decide not to sell, as you see fit, and my answer to the question is in the affirmative, as I note by copies of letters from Mr. Ladd, Commissioner of Education, that you have received his consent under the provisions of Chapter 90, Section 13, R. S. 1944.

RALPH W. FARRIS
Attorney General