

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

jured while the auditorium or gymnasium of a normal school was rented and there was negligence on the part of the administration of the institution, it is possible that the one injured might come to the legislature with a resolve asking reimbursement for damages. I have never heard of such a case during my several years' experience in the legislature and in the office of the Attorney General.

To clarify further the problem involved, you enclosed certain proposed recommendations which are the basis of the present discussion by the Board of Education.

I feel that these recommendations are very sound and should be carried into effect.

RALPH W. FARRIS
Attorney General

January 31, 1950

To H. H. Harris, State Controller
Re: State Historian

I have your memo of January 23rd referring to the provisions of Section 6 of Chapter 39, R. S. 1944, relating to expenses of the State Historian. You call my attention to the fact that this section provides that the State Historian is provided with \$500 per year by appropriation, and you ask me to note that the law provides that any unexpended balance shall be carried forward and used for the same purpose for the succeeding year.

You further state that it seems to you that inasmuch as the total expenditure is limited to only \$500 and that the carried balance may and has accumulated to nearly \$2000 over a period of several years, there is a direct contradiction within this section.

Upon the basis of the foregoing you request me to inform you how you can pay the bills of the State Historian and still operate under Section 6 of Chapter 39, R. S.

Some days ago I had a talk with Mr. Griffith and Mr. Mudge, the Finance Commissioner, in regard to the contradictory provisions contained in Section 6 and I stated to them at that time that, in view of the fact that the State Historian's budget was a carrying account and the law authorized the expenditure of \$500 a year and any balance left over at the end of the year shall constitute a continuous carrying account and shall be carried forward and credited to the appropriation for the same purpose for the succeeding year, it was the intent of the legislature that if the \$500 was not used in one fiscal year, it should be carried over and used in another year, so that there would be money available to carry on the work of the State Historian.

In view of the fact that there is an accumulated balance for this work of gathering data relating to the history of the State, it should be available for the payment of expenses incurred in securing this material. If it were otherwise, it would defeat the intent of the legislature.

RALPH W. FARRIS
Attorney General