

# 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**

apportioned under the provisions of Federal law. I understand that this association is private and not Federal. The Governor and Council are further authorized to direct departments of the State to which are allocated the duties involved in carrying out such State laws as are necessary to comply with the terms of the Federal Act authorizing the grants of Federal funds, supplies or equipment, and expend such sums of money and do such acts as are necessary to meet such Federal requirements. This activity, worthy though it is, does not come within the purview of our statute. If the Federal funds were available to our Highway Safety Division and we had to spend a little money to match said Federal funds or equipment, supplies and material, it could be done through our Highway Safety Director; but the way this is set up, the Federal Government is going to match the subscriptions of the States to private funds for the carrying out of this work of National and State Traffic Safety Conferences. . . .

RALPH W. FARRIS  
Attorney General

May 29, 1950

To Maurice G. Pressey, Chairman, Merit Award Board  
Re: Chapter 357, P. L. 1949

I have your communication of May 23rd, giving the history of the Merit Award Board legislation and calling my attention to Section 8 of the Act relating to the appropriation to carry out the provisions of the Act. You ask me if the unexpended appropriation balance on June 30, 1950, should lapse because of the provision in Section 23, Chapter 14, R. S. 1944.

You state that the Board has been operating under the impression that, since no specific amounts were designated for each of the fiscal years, the \$10,000 appropriation was to finance its activities for both years of the biennium, or until the next legislature provided it with regular appropriations; and should the unexpended balance be lapsed on June 30, 1950, the Board would be without funds for 1950-51 and the purpose of the Act would be defeated.

Chapter 357, P. L. 1949, which amended Chapter 59 of the Revised Statutes by adding four new sections to be numbered 6-A to 6-D, provided an appropriation from the general fund of the State in the sum of \$10,000 to carry out the provisions of Sections 6-A to 6-C, inclusive, of Chapter 59 of the Revised Statutes.

It is my opinion that it was the intent of the legislature that this appropriation, not having been set up in the general appropriation Act on a fiscal year basis, is for the purpose of carrying out the provisions and purposes of the Act and that no part of the \$10,000 should lapse so as to defeat the apparent intent of the legislature in carrying on this work which is set forth in said Chapter 357, P. L. 1949.

RALPH W. FARRIS  
Attorney General