

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

January 5, 1951

To Harold J. Dyer, Director, State Park Commission

Re: Licenses, leases, etc.

In your memorandum of January 4, 1951, you state that the State Park Commission wishes to be relieved of the administrative detail involved in the annual task of issuing licenses, leases, and other agreements, and you inquire as to whether or not the Park Commission can delegate to the Director of State Parks the authority to process such licenses and agreements in behalf of the Park Commission under the provisions of Section 23 of Chapter 32, R. S. 1944.

The provisions of Section 23 of Chapter 32, R. S. 1944, as amended, do not contemplate that the Commissioners must personally handle administrative detail, but the statute does contemplate that the Commissioners shall have the administrative responsibility. There is no reason why all the negotiations with respect to the business of the Commission should not be handled by the employees of the Commission, but it is essential to the validity of any final action taken that the same be taken by the Commission and that those things requiring the consent of the Governor and Council have the consent of the Governor and Council before final consummation.

JOHN S. S. FESSENDEN

Deputy Attorney General

January 8, 1951

To Honorable Frederick G. Payne, Governor of Maine

Re: Correspondence with Housing and Home Finance Agency re Addition to State House, Augusta, Maine

Mr. Mudge has handed to me a letter dated January 3, 1951, addressed to you by the office of the Administrator of the Housing and Home Finance Agency relative to the addition to the State House at Augusta, Maine, to which letter is attached a photostatic copy of an "Agreement and Public Voucher for Advance", which form is approved by the Federal Works Agency. There was also attached a copy of the Act under which advances were made for plans and surveys, together with the Regulations dated January 3, 1946, effective January 1, 1946.

I am informed that pursuant to the application made by Governor Hildreth, dated the 23rd day of June, 1947, and appropriate federal legislation, there was advanced to the State of Maine the sum of \$21,000 for the purpose of plans preparation.

From my study of the federal law and of the Regulations issued pursuant thereto, it appears that this amount of money is purely in the nature of a loan without interest, which loan is to be repaid in either of two events:— 1) if