

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

April 23, 1951

To Fred M. Berry, State Auditor
Re: Chapter 328, P. L. 1947

Under date of April 13, 1951, you addressed the following memorandum to this office:

"Your opinion is solicited as concerns the following statute, An Act Relating to Unorganized Townships Fund. Chapter 328, Public Laws of 1947, reads in part,

"Upon the first fund to be known as the unorganized townships fund, the state shall allow interest annually at 4%. The income from said fund shall be allocated as follows:

- I. \$5,000 allocated annually for the use of forest commissioner in managing and improving the growth on public reserved lots; and
- II. the balance then remaining shall be added to the school equalization fund.'

"The questions are:

1. Do the words in part II 'the balance then remaining' refer to the \$5,000 in part I or do they refer to the balance remaining in the income account after the \$5,000 has been deducted for forestry purposes?
2. If \$5,000 is made available to the Forestry Commissioner for the specific purposes stated in the act, and all of it is not spent in the current year, would the balance be carried forward for use in subsequent years or would it be added to the school equalization fund?"

In answer to your first question, it is our opinion that the words, "the balance then remaining," as used in paragraph II refer to the balance remaining in the income account after \$5,000 has been allocated for the use of the Forestry Commissioner.

In answer to your second question, it is our opinion that if the \$5,000 made available annually to the Forest Commissioner for the purpose of managing and improving the growth on the public reserved lots is not used for that purpose, any balance remaining in the \$5,000 account at the end of the fiscal year should be added to the school equalization fund.

JOHN S. S. FESSENDEN
Deputy Attorney General

April 26, 1951

To Ermo H. Scott, Deputy Commissioner of Education
Re: Teachers' Contracts — P. L. 1951, Chapter 203

Your memo of April 25, 1951, makes inquiry as follows:

- "1. To what extent does the Act affect teacher contracts signed between the current date and the date on which the Act becomes effective?"