

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

such provisions do not permit the further mandatory requirement to attend lectures given by your Commission.

JAMES G. FROST
Assistant Attorney General

November 27, 1951

To Earle R. Hayes, Secretary, Maine State Retirement System
Re: Hospital Employees

We have your memo of November 15, 1951, relative to the hospital in the town of Caribou, in which memo you ask if the employees of the hospital are eligible for coverage under the provisions of the Social Security Act.

From the facts contained in your memo we are of the opinion that such employees are not eligible for coverage under the Social Security Law. The hospital is undoubtedly a charitable organization, and the fact that the hospital is subsidized or given financial aid by the town does not make that hospital an instrumentality of the State or a political subdivision of the State. The hospital does not carry on a municipal activity as such, and therefore its employees are not eligible for Social Security.

JAMES G. FROST
Assistant Attorney General

November 27, 1951

To Marion E. Martin, Commissioner of Labor and Industry
Re: Interrogatories *re* Accidents and Injuries.

This office has your memo of November 5, 1951, relative to Sections 3 and 9 of Chapter 25, Revised Statutes, 1944.

Section 3 gives to the Commissioner of the Department of Labor and Industry permission to make certain interrogatories of industries for the purpose of gathering facts and statistics relative to injuries and accidents. This work is done cooperatively by the State and the Federal Government, as you state, to eliminate filing of identical reports with different governmental agencies.

Section 9 provides that whoever refuses to answer any question propounded to him concerning the subject of such examinations, as provided in Section 3, or refuses to answer the printed list of interrogatories shall be punished by a fine of not less than \$25, etc. You ask if you may invoke through proper court action the penalties as set forth in Section 9 in those cases where employers fail or refuse to file the requested report.

We are of the opinion that you may properly invoke Section 9 and the remedy contained therein in cases where employers are not cooperating with your department with respect to the requirements of Section 9.

JAMES G. FROST
Assistant Attorney General