

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1951 - 1954

not entitled to dictate that the city shall contribute to match his contribution for that period. After four years of employment under the Act, either Act, that option is lost if it has not been availed of by the employee.

Of course there is no option to employees new in employment since the date of establishment of either Act, as membership is a condition of employment.

NEAL A. DONAHUE
Assistant Attorney General

September 15, 1952

To W. Earle Bradbury, Deputy Commissioner of Inland Fisheries and Game
Re: Seals

This is in response to your recent request for a ruling as to whether or not common seals come within the meaning of "wild animals" as described in section 13 of Chapter 33 of the Revised Statutes.

"Wild animal", as defined in Chapter 33, is a species of animal wild by nature, whether bred or reared in captivity, as distinguished from the common domestic animals.

A seal is an animal wild by nature and comes within the definition of section 13.

The general rule is that wild animals at large within its borders are owned by the State in its sovereign capacity and are not subject to private ownership except in so far as the State may choose to make them so.

JAMES G. FROST
Deputy Attorney General

September 16, 1952

To Governor Frederick G. Payne
Re: Terms of Office of Appointive members of the Maine School Building Authority.

The Maine School Building Authority Act, Chapter 405 of the Public Laws of 1951 Section 215, provides that the Authority shall consist of seven members. Three of these are members by virtue of their office, namely the Governor, the Commissioner of Education, and the Senate Chairman of the Committee on Education, and they hold office on the Authority from the date of their qualification until the expiration of their respective terms in their respective offices.

The remainder of the Authority is made up of members appointed by the Governor. One member of the State Board of Education to be appointed by the Governor, to serve during their incumbency in said office, and three members at large appointed by the Governor for terms of three (3), four (4), and five (5) years respectively to hold office as follows: one until the completion of the third full fiscal year following his appointment, one until the completion of the fourth such full fiscal year, and one until the com-