

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

for the calendar years  
**1951 - 1954**

There has been a similar exchange of letters between the State of Maine and the other New England States.

Our Secretary of State sent to the Vice President, Speaker of the House, and the Federal Civil Defense Administrator copies of the letters exchanged between the States and copies of our Compact.

A period of 60 calendar days has expired during which the Congress of the United States in continuous session following acknowledgment of receipts of such ratifications by the Presiding Officers of both Houses of Congress, during which time the Congress did not pass a concurrent Resolution disapproving the Compacts as submitted, and accordingly they must be deemed to have been approved by Congress, and Compacts therefore exist between the above named States.

JAMES G. FROST  
Deputy Attorney General

September 19, 1952

To George H. Chick, Chief, Division of Markets, Agriculture  
Re: Disposition of Fines, etc.

. . . You ask our opinion relative to the disposition of funds collected by trial justices and municipal and Superior Courts of the State under the provisions of sections 225-237, inclusive, of Chapter 27 of the Revised Statutes of 1944, as amended.

Section 229 in particular is that section with which we are here concerned. It is provided there:

“He (the Commissioner of Agriculture) may recover penalties imposed for violation of the provisions of said sections in an action of debt brought in his own name and if he prevails in such action shall recover full costs; or he may prosecute for violations thereof by complaint or indictment. . .

“All fees received under the provisions of sections 225 to 231, inclusive, by the commissioner and all money and fines received by him under the provisions of said sections shall be paid by him to the treasurer of state and the same are appropriated for carrying out the provisions of said sections.”

While this provision is not so clear-cut as it might be, a complete reading of these statutes shows that it was the intention of the legislature to make the enforcing of these provisions and prosecutions thereunder financially self-supporting.

It is our opinion, therefore, that fines imposed by the courts, and paid, shall be transmitted to the Treasurer of State and be carried by him to the fund appropriated for support of the law.

Likewise, costs, except those portions which may otherwise be provided for elsewhere in the statutes, shall be paid to the Treasurer of State, to be carried by him to the account of the Commissioner of Agriculture in the same manner as fines are carried.

JAMES G. FROST  
Deputy Attorney General