

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

One can readily see that if the rule were otherwise, there would be no certainty to any election, to any office, to any tax levy. If my assumptions are not correct, then the true facts should be brought forward so that we can evaluate the situation in its true perspective.

ROGER A. PUTNAM
Assistant Attorney General

April 3, 1953

To W. H. Deering, Treasurer, Augusta State Hospital
Re: Patients' Funds

We have your letter posing the following questions:

1. "Can the hospital retain funds that were in the possession of a mental patient at the time of his commitment, or accumulated by him during the period of his commitment, these funds being in the custody of the hospital, for the payment of reasonable expenses of his support furnished by the Augusta State Hospital?"

2. "Is it necessary for the hospital to have the consent and approval of the patient to withhold any part of his funds for the State at the time of his discharge?"

Your first question is answered in the negative, if you mean the retention of funds without the approval of the patient.

The answer to Question 2 is "yes."

We feel that in no instance should you make an agreement with a minor who is being discharged from the hospital, but that such agreement should be made with the guardian of the minor. We do feel that in each case where a patient is being discharged from the hospital, having funds of any substantial amount on deposit, an attempt should be made to reach an agreement that a portion of those funds can be retained by the hospital and credited for the payment of bills for his board and care or support.

We think, further, that each case should be considered on its own merits and that no attempt should be made to retain funds when such retention would create a real hardship on the person being released.

JAMES G. FROST
Deputy Attorney General

April 15, 1953

To Paul A. MacDonald, Deputy Secretary of State
Re: Legal Loads of Trucks

We have your memo requesting answers to questions concerning the interpretation of section 100 of Chapter 19 of the Revised Statutes, as amended, which statute deals with the load in pounds that may be carried by a group of axles on commercial vehicles.

The pertinent portions of the statute which are to be considered read as follows: