

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

the average weekly wage shall be taken to be the working capacity of the person in the occupation in which he is regularly employed.

Your question appears to relate to a person who is not engaged in any occupation which brings in a salary or wages. Such a person, being injured in Civil Defense work, would be entitled to the minimum provided by the law, which at present is \$12 per week and after November 30 will be \$15 per week. Together with this compensation goes, however, the full payment of all necessary and proper medical expenses.

NEAL A. DONAHUE

Assistant Attorney General

June 8, 1953

To Honorable Burton M. Cross, Governor of Maine

Re: Harness Racing Commission

This office has been asked for an interpretation of Chapter 402, P.L. 1953, which Act amends Section 1, Chapter 77 of the Revised Statutes, to provide:

“One member (of the State Harness Racing Commission) shall, *in some capacity*, be connected with agricultural societies which operate pari mutuel racing.”

Frederick A. Howell, presently a member of the State Harness Racing Commission, states that he is a member of the Androscoggin Agricultural Society and a member of the Cumberland Farmers Club, both of which associations operate pari mutuel harness racing meets.

The question is asked if Mr. Howell, as a member of the societies referred to above, has sufficient connection with an agricultural society operating pari mutuel racing, to qualify by virtue of such membership for re-appointment as a member of the Harness Racing Commission.

It is our opinion that Mr. Howell's membership in the agricultural societies mentioned above is sufficient to bring him within the phrase “in some capacity”, contained in Chapter 402, P.L. 1953.

We do not believe that the statute should be construed to require that a person, to be eligible for appointment to the Harness Racing Commission, must be an officer in an agricultural society which operates pari mutuel racing, but rather we believe it would be sufficient if the person is an active member of such a society, and displays an interest in the welfare of the society.

It is our opinion, therefore, that Mr. Howell would be eligible under the 1953 amendment (assuming that he meets other requirements) for re-appointment.

ALEXANDER A. LaFLEUR

Attorney General