

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

granted her under the Resolve heretofore mentioned) and she did not in fact make any contribution during said additional, granted period.

The answer is, Yes.

The original Resolve introduced in the 96th Legislature, L.D. 339, contained a provision to the effect that said Vera A. Gordon should contribute to the Maine State Retirement System the sum of \$66 (the amount, we assume, she would have had to contribute to the System, except for the Resolve of 1953, Chapter 171). The provision for this contribution has been considered and deleted by the Committee considering said Resolve and the Resolve having been enacted without any provision for such additional contribution during the granted six months' additional retirement created, it is my opinion that it was the intent of the Legislature to grant to Vera A. Gordon an additional credit period of six months toward retirement without further contributions by her.

ALEXANDER A. LaFLEUR
Attorney General

September 24, 1953

To Maine Development Commission
Re: Water Improvement Commission

On September 23, 1953, the Maine Development Commission requested an interpretation of the provisions of Chapter 72 of the Revised Statutes of 1944, as amended by Chapter 345 of the Public Laws of 1945, with particular reference to Section 3 of the latter chapter.

A. C. Lawrence Leather Company of Peabody, Massachusetts, a wholly owned subsidiary of Swift and Company of Chicago, is negotiating for the purchase of the physical properties of the Milo Tanning Corporation, located in South Paris, Oxford County, to carry on the tanning of leather and kindred products.

In 1938 the Lord tanning interests of Woburn, Massachusetts, purchased the property and formed the Paris Tanning Company, constructing a series of settling basins along the Little Androscoggin River as a means, initially, of disposing of sewerage, the construction of these settling basins having been then approved by State authorities.

In 1949 this property was sold to the Milo Tanning Corporation, who are its present owners and who conducted a general tanning business of side leather until the summer of 1953, utilizing the same sewerage disposal facilities. During the entire operation of this plant by the Paris Tanning Company and the Milo Tanning Company, it appears that no complaint was ever made.

The A. C. Lawrence Leather Company, if the contemplated purchase is completed, propose to renovate and rebuild some of the buildings, but not all, and contemplate using the same sewerage system that is now in existence, without any change in the existing outlets into the Little Androscoggin River.

It is my opinion from the statement of facts heretofore set forth that this does not constitute a new source of pollution under the provisions of Chapter 345 of the Public Laws of 1945, and that no application for a license should

be required thereunder for the A. C. Lawrence Leather Company for the proposed discharge in the presently existing general location at South Paris on the property now owned by the Milo Tanning Company, if the same business heretofore operated is continued.

ALEXANDER A. LaFLEUR

Attorney General

September 30, 1953

To Norman U. Greenlaw, Commissioner of Institutional Service

Re: Transportation Costs to State Hospital

We have your memo of September 16, 1953, and attached memo from Dr. Harold A. Pooler, Superintendent of the Bangor State Hospital, in which he cites a case where a town charged a patient \$180 for the cost of committing the patient and transporting him from the town of his residence to the Bangor State Hospital.

The question is asked if the municipalities should charge for the transportation of patients to and from the hospital.

We quote from Section 139 of Chapter 23, R. S. 1944:

“A town chargeable for expenses of examination and commitment and paying for the examination of the insane and his commitment to the hospital may recover the amount paid, from the insane.”

It does not seem unreasonable to us that the cost of transportation should be a proper charge recoverable from the patient.

JAMES G. FROST

Deputy Attorney General

September 30, 1953

To G. Raymond Nichols, Veterans Affairs

Re: Re-employment Rights – Municipalities

In answer to your memo of September 21, 1953, in which you ask if a former Chief of Police of the Town of Lincoln would have re-employment rights under Chapter 59, Section 23, of the Revised Statutes, we must advise that this office may not give an opinion relative to such a matter. It is, of course, our duty to interpret the statute in question with respect to State employees, but we may not give such opinions when employees of municipalities are concerned.

The presence of the statute would indicate a possibility of re-employment rights in such an instance, and we would suggest that you advise Mr. Brinson to contact one of the attorneys who have accepted assignments by the VA to render assistance to veterans in their particular localities.

JAMES G. FROST

Deputy Attorney General