

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

for the calendar years  
**1951 - 1954**

June 3, 1954

To A. D. Nutting, Forest Commissioner  
Re: Baxter State Park — Hunting

. . . You seek an opinion on whether the Baxter State Park Authority can exclude hunting from the areas which were accepted by the Governor and Council, or whether legislation is required to set the areas aside as a game sanctuary.

Governor Baxter has pointed out Section 127 of Chapter 33 and asks if that section would protect his gift without any additional legislation.

It is our opinion that Section 127 would not apply.

However, a reading of Sections 31 and 32 of Chapter 32, R. S. as amended, would indicate that Governor Baxter's latest gift to the State of Maine comes within the jurisdiction and protection of the Baxter State Park Authority. Section 31-A permits the Authority to establish rules and regulations necessary for the protection and preservation of such property and for the proper observance of the conditions and restrictions expressed in the deeds of trust of the Park to the State. It is our opinion that under such a provision the Authority may by rule and regulation enforce any of the restrictions or limitations contained in the deed giving the property to the State.

In this manner hunting can properly be prohibited on the area recently granted to the State by Governor Baxter.

JAMES GLYNN FROST  
Deputy Attorney General

June 3, 1954

To Fred L. Kenney, Director of Finance  
Re: Chapter 108, Resolves of 1953

The above captioned Resolve appropriated the sum of \$10,200 for the construction of a laboratory at the Madawaska Training School. This request had initially been prepared and presented to the Governor's Budget Committee and it is our understanding there deleted. Subsequently it was presented to the Legislature and passed. Initially the request had been for the construction of a laboratory and for other items including furniture. Although in the present Resolve this furniture item does not appear, nevertheless the sum initially requested was granted in the Resolve.

Construction of the laboratory has been completed at a saving of \$5,981. and the question is now asked if this remaining sum would be available for the purpose of equipping the laboratory, so that it can be used for the teaching of chemistry, physics and biology.

It is the opinion of this office that it could not have been the intent of the Legislature to appropriate a sum of money to construct the shell of a building to be used as a laboratory and leave it in that condition without the proper equipment to conduct the courses which were intended to be taught at the laboratory. We believe that it is proper to expend up to the amount of the