

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1957 - 1958

July 26, 1957

To: Norman U. Greenlaw, Commissioner of Institutional Services

Re: Chapter 387 of the Public Laws of 1957
Probation & Parole Law

We have your memorandum of July 23, 1957, in which you ask for opinions relative to two sections of the newly enacted Chapter 387 of the Public Laws of 1957.

Section 35 of Chapter 387 reads as follows:

"The Parole Board, the probation officers and each county shall transfer all books, papers, records and property connected with the functions, duties and powers exercised by the Probation and Parole Board for the use of the State."

Question—"Do the County Commissioners have authority to turn County property over to the State of Maine and does the section give the right to County Commissioners to supply office space to this division of government without charge?"

Answer—The property contemplated to be transferred under this section is personal property only. Office space is not embraced within the section.

Section 5, VI, spells out in part the powers and duties of the Probation-Parole Officer and provides that he will "collect and disburse money according to the order of the Court having jurisdiction. He shall make a detailed account under oath of all fines received, and shall pay them to the appropriate county treasurer by the 15th day of the month following collection."

Question—"Should these funds be deposited with the State Treasurer and disbursed through the Office of the State Controller to the appropriate person or department?"

Answer—With respect to the last sentence of the paragraph, the duties there to collect fines, etc., do not substantially differ from the duties set forth in Chapter 149, Section 28 of the Revised Statutes of 1954, and we would presume that you would follow the same procedure as has been followed in the past. If under the new law the Court did enlarge the scope of the Probation-Parole Officer with respect to the kinds of moneys he will receive which are not payable to the County Treasurer then such funds should be deposited with the State Treasurer and disbursed in the normal manner.

JAMES G. FROST
Deputy Attorney General

July 29, 1957

To Major General George M. Carter, The Adjutant General

Re: Property Officer's Bond

. . . You ask whether or not the State Property Officer is covered under the comprehensive commercial blanket bond pertaining to State employees in supervisory positions.