MAINE STATE LEGISLATURE

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January 28, 1958

Paul A. MacDonald, Chairman   Maine Mining Bureau

Roger A. Putnam, Assistant   Attorney General

Disposal of Fees—Recording, Renewing or Transferring claims

You have requested an opinion with regard to the disposal of fees received for recording, renewing and transferring claims under the provisions of Section 4 of Chapter 293 of the Public Laws of 1957. Subsection VI of Section 4, supra, sets forth that there shall be charged a fee of $2.00 for recording, renewing or transferring a claim on the records of the State Land Agent.

Section 5 of Chapter 293 of the Public Laws of 1957 provides as follows:

> ". . . All rental and royalty moneys accruing from operations under the license to mine or mining leases shall be used for schools and shall be paid into the 'Unorganized Territory capital Working Fund', described in section 107 of chapter 61."

It is our opinion that fees received for recording, renewing and transferring claims should not be credited to the Unorganized Territory Capital Working Fund as that source of revenue is not described in section 5. The fees should be disposed of as are other fees received by state officials where the disposition thereof is not set forth in the statute. The procedure in such case is that the fees are deposited into the general fund.

Roger A. Putnam
Assistant Attorney General

rap/h

cc: Everett F. Greaton, Director, Recreation Division
        Department of Economic Development
     A. D. Nutting, Forestry Commissioner
     Clayton F. Osgood, Chief, Division of Inspection, Agriculture
     J. R. Rand, State Geologist
     Harlan H. Harris, State Controller