

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1957 - 1958

Requirement III states:

“A society which has not less than 10 stockholders or members, *or* the primary purpose of which is not profit to be distributed to its stockholders.”

(Emphasis supplied)

The additional stipend under Chapter 391, Public Laws of 1957, states four requisites which must be met before the stipend will be given:

- (1) must be a recipient of the stipend fund
- (2) must conduct pari mutuel racing in conjunction with its annual fair
- (3) improve its racing facilities
- (4) and the improvement has met the standards for facility improvements set by the Commissioner of Agriculture.

It appears from the information which I now have that The Bangor Fair meets the first two requisites, and assuming that the latter two are met, the corporation is entitled to the additional stipend.

GEORGE A. WATHEN

Assistant Attorney General

June 23, 1958

To Samuel F. Dorrance, Livestock Specialist, Agriculture

Re: Damages to Minks

We have your request for an opinion on the following question:

“Are mink killed by dogs or wild animals entitled to payment by the state as provided by R. S. 1954, Ch. 100, Sec. 18, as amended?”
Sec. 18 provides:

“Whenever any *livestock*, poultry or domestic rabbits, *properly enclosed*, owned by a resident is killed or injured by dogs or wild animals, the owner, after locating such animal, animals or poultry or a sufficient part of each to identify the same . . .” (emphasis supplied)

The term “livestock” as defined by Webster’s Unabridged Dictionary, second edition, is: “Domestic animals used or raised on a farm, esp. those kept for profit.”

Sec. 141 of Ch. 32 states:

“Mink that have been propagated in captivity for 2 or more generations shall be considered domesticated animals subject to all the laws of the state with reference to possession, ownership and taxation as are at any time applicable to domesticated animals. . .”

It is my opinion that domestic mink are livestock within the meaning of the statute and the owner may be eligible for the benefit of Section 18 of Chapter 100.

GEORGE A. WATHEN

Assistant Attorney General