

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1957 - 1958

It can then be seen that the fund for payment of survivors' benefits does not at all contemplate members who are not presently working, but only such members as are contributing and who have an annual earnable compensation.

For these reasons we therefore hold that the law does not protect those persons who severed service prior to July 1, 1957.

JAMES GLYNN FROST
Deputy Attorney General

July 21, 1958

To Roland H. Cobb, Commissioner of Inland Fisheries and Game

Re: Swan Island

This is in reply to your recent memo in which you pointed out that Federal funds under the Pittman-Robertson Act can be expended only in the event such funds accrue to the dedicated revenue of your department, and that because of our opinion that the funds realized by the sale of Swan Island must accrue to the general fund of the State the Federal Government may refuse to follow through on the purchase.

You inquire if legislative action is indicated and, if so, how the bill should be worded.

If the Legislature had desired that the proceeds of sale of land should accrue to the department's account, then it could easily have so stated, as it did in the case of sale of hay, timber and Christmas trees.

In the case of hay, timber, etc., the Legislature provided (Sec. 17, Chapter 37) that the proceeds from their sale shall be used for maintenance of the game management areas.

While it is not proper for us to recommend legislation, we would suggest that if the Department of Inland Fisheries and Game wishes that proceeds from the sale of land under the provisions of Section 8 accrue to the department, then legislation would be necessary. Clear words could be used, as in Section 17, indicating the desired disposition of such funds.

JAMES GLYNN FROST
Deputy Attorney General

July 23, 1958

To David H. Stevens, Chairman, State Highway Commission

Re: Temporary Loans

You have requested my opinion as to whether the State can use the temporary-loan provision to borrow \$3,500,000 in September 1958 and repay the loan in May of 1959.

The answer is, "Yes."

Chapter 173 of P&SL, 1957, allocates \$6,807,000 to the highway fund for 1957-58 from the sale of bonds for highway construction.

Section 132 of Chapter 28, R. S., provides that the Governor and Council can transfer money from one account in the General Highway Fund to another.