

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1957 - 1958**

lished" must, by its use in this section, mean organized and in operation, since this section provides that the subsidy will be paid to the district. A district is not eligible to take money until it is in operation (Sec. 111-R, Ch. 443, P. L. 1957). Sec. 237-E further buttresses this interpretation. This appropriation section (107) will only be operative for this year and the general law will apply hereafter.

GEORGE A. WATHEN  
Assistant Attorney General

October 23, 1958

To R. E. Libby, Chairman, Veterinary Examiners

Re: Remuneration from Two Sources

. . . You state that you are employed by the State of Maine as State Veterinarian in the Division of Animal Industry of the Department of Agriculture, and also chairman of the Board of Veterinary Examiners.

The Board of Veterinary Examiners reimburses its officers at the rate of \$10 per day for two days of each year for work performed. You ask if, for services performed by you in your capacity as chairman of the board, you may receive the per diem above mentioned, if you were to consider those days as vacation time, from your duties with the Department of Agriculture.

It appears that this question arises because of the rejection of such bills upon the basis that no person should receive pay from two State agencies.

It is our opinion that, consistent with Rule 11.10 promulgated by the Department of Personnel, with the approval of the Commissioner of Agriculture you may receive the per diem paid by the Board of Veterinary Examiners, if you consider the two days worked as vacation time from your duties with the Department of Agriculture.

JAMES GLYNN FROST  
Deputy Attorney General

October 23, 1958

To C. Keith Miller, Inland Fisheries and Game

Re: Sale of Fish Cultural Station

We have reviewed the original deed and the correspondence with the General Services Administration relating to the above captioned property.

On examining this material we realized that the transfer to the State of Maine was not accomplished by a taking (eminent domain) or by purchase, but on the consideration that the property be used as a reserve for the conservation of wild life.

It thus appears, consistently with opinion of this office dated September 17, 1956, the property not having been taken or purchased, that a conveyance to the United States cannot be made under the provisions of Section 8 of Chapter 37, R. S. 1954.

We would recommend that a Resolve be prepared for consideration by the legislature. . . .

JAMES GLYNN FROST  
Deputy Attorney General