

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**  
**1959 - 1960**

MAINE STATE  
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General oversight of chambers and rooms means overall superintendence; general supervision; and management of such chambers and rooms.

The term "Legislature" as used in the section of law under consideration means the legislative body — the House and the Senate, with the result that the general oversight of chambers and rooms refers to chambers and rooms occupied by either or both branches of the Legislature.

The aforementioned duties of the Clerk of the House may be limited by a joint order of the Legislature.

Answer to Question No. 2 —

"Yes".

Very truly yours,

FRANK E. HANCOCK  
Attorney General

August 24, 1959

To: Perry D. Hayden, Commissioner of Institutional Services

Re: Leasing of State-Owned Property

I have your request for an opinion regarding the authority of a state officer to lease a state-owned rock crusher to a construction company.

It is my opinion that you cannot lease public property to a private person.

Section 5, Chapter 27, Revised Statutes of Maine of 1954, charges you with the care, management, custody and preservation of the property of all state institutions but I do not believe this would authorize you to lease public property to a private individual. Public property is held by the State in trust for the people.

Subparagraph VI, Section 34, Chapter 15-A, Revised Statutes of 1954, provides that the Bureau of Purchases shall have authority to ". . . transfer to or between state departments and agencies, or sell supplies, materials and equipment which are surplus, obsolete or unused. . ."

I am unable to find any authority for you to execute such a lease.

GEORGE A. WATHEN  
Assistant Attorney General

August 31, 1959

To: Marion E. Martin, Commissioner of Labor & Industry

Re: Minimum Wage Law

We have your memo of July 16, 1959, in which you ask 11 questions concerning Chapter 30, sections 132-A to 132-J, as enacted by Chapter 362, Public Laws 1959, an Act establishing a minimum wage.

The Act, with certain classes of employees being exempted, prohibits an employer from paying an employee less than \$1.00 per hour, excepting employers employing three or less employees.