

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calender years

1961 - 1962

State, and the Chief of the State Police acting jointly have authority to restrict the speed of all motor vehicles and to increase the speed of all motor vehicles up to a certain stated limit.

This Board, which is commonly referred to as the Speed Regulation Board, can have no more authority than that granted to it by the legislature. It cannot increase speeds above the limits set by the legislature.

In view of the provision of section 113-F-1, providing that speed of certain commercial vehicles shall be the same as pleasure vehicles, and the fact that the Speed Regulation Board has no definite authority to alter speed limits of various types of motor vehicles, it must follow that the Board cannot set separate speed limits for pleasure vehicles, trucks or buses.

Very truly yours,

GEORGE C. WEST

Deputy Attorney General

October 31, 1962

To: Hayden L. V. Anderson, Executive Director, Division of Professional Services,
Department of Education

Re: Bequests to Teachers Colleges

You have asked for our informal opinion relative to an inquiry by Attorney William Linnell concerning the naming of a teachers college or the president of a teachers college trustee for the purpose of administering scholarship grants or other educational bequests or gifts. The authority for accepting such a bequest or gift is contained in chapter 11, section 16 of the Revised Statutes. It is our understanding that under that section the bequest would be turned over to the Treasurer of the State of Maine with the interest applied under the terms of the trust.

I agree with Mr. Linnell that it is highly questionable to make a bequest in trust directly to a teachers college or to a president of a teachers college since there is no clear statutory authority for such a bequest to an agency of the State. I would suggest that we survey the situation and recommend an amendment to chapter 11, section 16, to permit the various agencies of the state to administer a particular bequest in trust.

RICHARD A. FOLEY

Assistant Attorney General

October 31, 1962

To: Joseph T. Edgar, Deputy Secretary of State

Re: Eligibility to Vote Absentee Ballot when in County Jail or Penal Institution

You have asked our opinion as to the eligibility of a registered voter to vote by absentee ballot when that voter is in the county jail on a capias writ for non-support.