

MAINE STATE LEGISLATURE

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April 19, 1963

Honorable Norman K. Ferguson
Senate Chamber
Augusta, Maine

Dear Senator Ferguson:

Re: Payment of County funds for a specific item included in the 1963 legislative resolve, and included in the 1963 warrant to the various municipalities in Oxford County for the purpose of paying same.

Question (1) - Whereas, the County Commissioners of Oxford County in their 1963 warrant to the various municipalities included in the said warrant the sum of \$12,500 for 1963, and \$12,500 for 1964 for the Oxford County Association for Retarded Children, Inc., are they bound by law to pay the assessed amount to said Association?

Answer - Yes.

The law relating to County Commissioners is found in Chapter 69 of the Revised Statutes. Section 12 provides:

"The county commissioners shall make the county estimates and cause the taxes to be assessed."
(Underlining supplied)

Section 13 provides the method of preparing county estimates. The legislature then grants the county tax. Section 15 provides that following legislative authorization of a county tax the commissioners shall apportion it upon the towns and other places.

Honorable Norman K. Ferguson

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April 19, 1963

A new section, 16-C, P.L. 1963, Chapter 154, gives the county commissioners of Oxford County permission to expend county funds for construction or acquisition of buildings for educational programs for retarded children with certain restrictions and limitations.

The county estimate for 1963-1964 carried a budgeted item for this purpose. The legislature has granted the county tax. The commissioners have apportioned it as provided in section 15.

The commissioners are now legally obligated to expend the funds for the purpose provided in P. L. 1963, Chapter 154, and in the legislative grant of the county tax, provided there is an educational program within the county as set forth in Chapter 154 above.

Very truly yours,

George C. West
Deputy Attorney General

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