

MAINE STATE LEGISLATURE

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA

April 23, 1936

Raymond C. Small, Secretary
Deer Isle-Sedgewick Bridge District
Stonington, Maine

Dear Sir:

Under date of April 10, you request the opinion of this office concerning the meaning of the word "may" appearing in Section 1 of Article IX of the Constitution of the State of Maine. You are interested to learn whether or not the word "may", in the section, is to be construed as "shall".

In answer to your inquiry, I am of the opinion that the word "may", under the particular circumstances, must be construed "shall". Of course, the Constitutional Amendment appearing in Chapter 122 of the Resolves of 1925, is a companion measure to Chapter 88 of the Private & Special Act of 1925, which went to Referendum by provision of the bill itself and was voted on by the people of the State at the same time as was the Constitutional Amendment. Reading the two measures together, and realizing that the people of the State of Maine approved both measures at the same time, it is obvious that the intention of the Legislature and the people of the State of Maine was that the bonds provided for should be issued when needed without further legislative act or vote of the people. The particular wording of Section 21 is employed in other Amendments to the Constitution and has the sanction of such usage apart from the obvious intention appearing in Chapter 122 and Chapter 88.

Accordingly, I am of the opinion that the word "may" in the above Section 21, must be construed to mean "shall".

Very truly yours,

Clyde R. Chapman

Attorney General