

# MAINE STATE LEGISLATURE

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June 13, 1938

John F. Fitzgerald, Administrator  
142 High Street  
Portland, Maine

Dear Mr. Fitzgerald:

This office has advised the present selectmen of the town of Winslow that there is no provision in the statutes of the State relative to the selection of a chairman, or that any particular one of the three, five or seven selectmen elected by any town becomes chairman of the Board because of the order of his election, or because of any designation that may be placed on the ballot.

While it is undoubtedly the custom in the State to call the selectman who is elected as first selectman the chairman, I see no reason why a majority in number of any board of selectmen elected in this State cannot elect any one of the selectmen to be chairman.

Chapter 1, Section 6, Paragraph III, of the Revised Statutes reads as follows: "Words giving authority to three or more persons authorize a majority to act, when the enactment does not otherwise determine." I interpret this to mean that a majority of any board have authority to act in all town matters, including the selection of their own chairman.

Very truly yours,

(sd) Franz U. Burkett  
Franz U. Burkett  
Attorney General

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