

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

March 13, 1940

Hon. Guy L. Thomas
Mayor City of Calais
Calais, Maine

Dear Mr. Thomas:

It would be perfectly legal for your city government to provide for a vote by local option on the question of permitting Sunday moving pictures in your city at your coming city election, or at a special election to be held; and I feel very definitely that if there is sufficient public interest in the matter you should do so and give the citizens of the city a chance to vote on this question.

If you get a petition from a sufficient number of legal voters you must provide for such a vote at your next city election according to the provisions of sections 4, 5, 6, 7 and 8 of Chapter 5 of the Revised Statutes. Section 4 of Chapter 5 has, however, been amended by Chapter 198 of the Public Laws of 1939, and you will note that instead of the provision of ten or more voters requesting the action, under the amendment the petition must be signed by the number of legal voters in the city which is not less than ten percent of the voters registered in the biennial State election last passed.

Mr. Edward F. Merrill, who has been interested in this matter for Mr. Dondis, tells me he has discussed the matter with your city solicitor on the basis of the unamended act. He was in the office today and we have both gone over the matter and we both understand that the number now required is as I have stated above and, in order to find the required number you should count the total number of registered voters who were qualified to vote at the State election held in 1938, and then be sure that the signers of the petition are all legal voters.

While it is my opinion, as I stated above, that if you find that there is sufficient interest in the matter to

Hon. Guy L. Thomas
March 13, 1940 - Page 2

justify another vote on the question you should provide for
suth a vote of your own motion. If the petition, therefore,
is presented to you bearing the requisite number of signa-
tures, it is your cuty to so provide.

As you read sections 4, 5 and 6 of Chapter 5,
you will note that they apply to towns, but that section 8
of the same chapter makes them also apply to cities.

Very truly yours,

Franz U. Burkett
Attorney General

FUB H