

MAINE STATE LEGISLATURE

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January 24, 1942

The Attorney General

Commissioner of Education

In order to promote mutual understanding, and to be sure that we both have in mind the facts which Mr. Libby has today given us in regard to conditions in the educational department of the State previous to the year 1909, I am setting down what I understand to be a resume of his remarks.

1. Local superintendents of schools prior to 1909 were employable by local communities without regard to the wishes of the State Superintendent of Schools provided they held State teacher's certificates.
2. No part of the wages of the local superintendents prior to 1909 were paid by the State.

Taking the above two points together, we must reasonably assume that, prior to 1909 certainly a local superintendent of schools was not a State employee.

The above ruling does not apply to the "union superintendents", so-called, whose statuses were that of State employees because two-thirds of their salaries up to \$800.00 per annum was paid by the State, and their election was dependent upon the approval of the State Superintendent of Schools.

Frank I. Cowan
Attorney General

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