

MAINE STATE LEGISLATURE

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May 13, 1943

The Governor

Executive

Frank I. Cowan, General

Attorney General

Supervisor of Construction

I have your memo of the 11th.

P. L. 1935, Chapter 177, provided for a supervisor of construction and provided in Section 4 for a rather considerable experience and education, but did not require that he be a person capable of preparing original plans and estimates. The section does provide that he be capable of interpreting them and that he have a knowledge of construction. If in addition to his other qualifications, the present incumbent is qualified to prepare original plans and specifications there is no reason in the law why he should not be permitted to do so.

The new law, Chapter 176, P. L. 1943, effective July 9, 1943, in Section 3 is considerably less stringent in its requirements of qualifications for a person to fill the office of superintendent of public buildings. It does, however, require that he shall have "an ability to interpret engineering plans, specifications and reports, together with a knowledge of building supplies and materials; and experience in active building construction."

It shall be his duty to supervise construction, repairs, alterations and improvements on State buildings, except as expressly stated otherwise in the act.

There is nothing in this new law to prevent the incumbent being designated to prepare plans and specifications for a public building, providing he is qualified to do so.

Under either law, the only question is as to the qualifications of the incumbent. He might decline to prepare plans and specifications, even though qualified, on the ground that it is not prescribed for him by statute but if he saw fit to do it and you were willing that he should, there is no reason in law why he should not.

Mr. Russell has informed me that he is an architect of very considerable experience, but I have not checked at all on his qualifications, so I am not prepared to comment on this at all.

Frank I. Cowan
Attorney General

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