

MAINE STATE LEGISLATURE

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January 31, 1946

To the Town Manager of Norway

. . . I received your letter of January 29th, stating that a group of interested citizens of Norway feel that an increase should be made in the number of selectmen, from three to five, and asking for a ruling from this office.

Your question is: "Would it be legal for the town to increase the number of selectmen under the following article: Article. To see if the inhabitants of the town will vote to increase the number of selectmen, who shall also be assessors and overseers of the poor, to five by electing three additional selectmen as follows: one to serve for a term of one year, one to serve for a term of two years and one to serve for a term of three years, and thereafter at each annual town meeting elect two selectmen each for a term of three years, provided, however, that in each third year but one selectman shall be elected, said question to be decided by a 'yes' or 'no' written ballot."

My answer to the question is in the affirmative, and I quote the last clause of Section 14, Chapter 80, R. S. 1944:

"Towns electing more than 3 selectmen, 3 overseers of the poor, and 3 assessors may by vote determine how many of each of said boards shall be elected annually and the tenure of their office."

I have no suggestion relating to any better or different way of accomplishing the net result which the voters of Norway have in mind, namely the substitution of a board of 5 selectmen for the current board of three. I presume you are operating under the provisions of Section 12, Chapter 80, R. S. 1944.

Ralph W. Farris
Attorney General

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