

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1945-1946

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under her instruction and the pupils would be assigned to the several buildings irrespective of their residence; and you inquire whether this can be done legally without a vote of approval from each town.

Section 84 of Chapter 37, R. S. 1944, provides:

“Children living remote from any public school in the town in which they reside may be allowed to attend the public schools, other than a high school. . . in an adjoining town, under such regulations and on such terms as the school committees of said towns agree upon, etc. . . .”

It is my opinion that Section 84 does not apply to this situation in the towns of Parsonsfield and Porter, because the children in these towns are not living remote from any public school in the towns in which they reside.

There is another provision under Chapter 37 in Section 28 which reads:

“Adjoining towns, upon the written recommendation of the school committees of said towns, may by concurrent action maintain union schools for the benefit of parts of said towns or may establish such schools, and shall contribute to their support each in proportion, etc. . . . Said schools shall be under the management of the school committee of the town in which their schoolhouses are located.”

It is my opinion that Section 28 does not apply to this situation in the towns of Parsonsfield and Porter and that the towns involved in this agreement should secure a vote of approval at town meetings ratifying the action of the school committees, on this agreement which they have entered into, attempting to bind the two towns of Parsonsfield and Porter and pooling their school building facilities.

RALPH W. FARRIS
Attorney General

August 14, 1946

To J. Elliott Hale, Technical Secretary, Sanitary Water Board
Re: Chapter 251, P. L. 1933

I have your memo of August 12th, asking whether or not Chapter 251 of the Public Laws of 1933, entitled, “AN ACT Enabling Cities and Towns to Take Advantage of Reconstruction Finance Corporation Loans for Construction of Sewerage Works,” is still in effect.

I have examined the new Revision of the Statutes and find that Chapter 251, P. L. 1933, was exempted from the repealing act passed by the legislature at the special session in September, 1944, called for the adoption of the 1944 Revision of the Statutes. Therefore, it is my opinion that this law is still in force and effect, and the cities and towns can use same for the formation of sewerage districts.

RALPH W. FARRIS
Attorney General