

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**R E P O R T**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1949 - 1950**

You have stated that it has been suggested that the clause should be read as obviously out of context, and as having nothing to do with the granting of \$50 subsidies, as though it were a separate section of statute requiring six semester hours of professional study within each period of five years as a condition precedent to the renewal of a teaching certificate. While I am not expressing any opinion as to whether the clause could or should be so read, I will say that if it should be so read, it cannot in and of itself be considered as a requirement imposed upon superintendents, for the reason that Section 77 authorizes and delegates to the Commissioner the authority and duty to prescribe by regulation the circumstances under which State certificates of superintendence grade shall be issued.

JOHN S. S. FESSENDEN  
Deputy Attorney General

April 11, 1950

To Harland A. Ladd, Commissioner of Education  
Re: Equal Pay for Equal Work

I acknowledge receipt of your memorandum of April 11, 1950, advising me that you have been asked by representatives of two local teacher organizations in the State for an opinion as to whether or not the provisions of Chapter 262 of the Public Laws of 1949 apply to teachers, and you request me to advise you on a proper response to this question.

I should advise them that Chapter 262 of the Public Laws of 1949 is an addition to Chapter 25 of the Revised Statutes, which relates to the Department of Labor and Industry. Sections 38, 39 and 40 of said Chapter 25 relating to the Department of Labor and Industry, have a sub-heading designated, "Payment of Wages," and Section 40-A is an addition to Section 40 under said sub-heading and relates to the payment of wages by corporations, persons, or partnerships engaged in certain industries as set forth in Section 38. The profession of teaching is not mentioned in Sections 38, 39 and 40 or in the new Section 40-A, which is under the designation of "Payment of Wages," and therefore does not apply to teaching positions which are under contracts with superintending school committees or superintendents of schools in cities and towns.

RALPH W. FARRIS  
Attorney General

April 11, 1950

To Raymond C. Mudge, Commissioner of Finance  
Re: Request, The National Association of State Budget Officers—  
Block Grants

I have your memo of March 29th attaching a letter dated March 21st, from The National Association of State Budget Officers, signed by Ted Driscoll, Assistant Director of The Council of State Governments, asking for certain information for use by the Committee on Federal-State Fiscal Relations.

In answer to Question 1 in Ted Driscoll's letter I will say that there is no Constitutional or statutory objection to the use of federal money made available in block-grant form.