

MAINE STATE LEGISLATURE

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January 23, 1952

To Philip S. Wadsworth, Chairman, Board of Architects
Re: Out-of-State Examination

. . . You ask, "Would there be any objection to the same examination being given in the three states at the same time, provided grading of examinations was ratified by the Maine Board?"

This question relates to the possibility of the State of Maine combining its examination for registration with those of New Hampshire and Vermont, since these boards have similar requirements and needs to those of the Maine board.

It is our opinion that there is no objection to such a combination of the three States to prepare similar examinations in the three States at the same time under the conditions you mention. This power seems to come well within Section 10 of Chapter 356 of the Public Laws of 1945.

Question #2. "Would there be any objection to a Maine applicant taking his examination in any of the three states, provided an examination was also given in Maine and provided the grading of the examination was ratified by the Maine Board?"

Although the provisions of Section 10 of Chapter 356 appear to be stated quite broadly, it is our opinion that Maine applicants should not be required to take examinations out of the State of Maine. In fact, we think it would be frowned upon by any court if examinations given by a Maine board were to be given outside the geographical limits of the State of Maine.

You also inquire if it would be proper for the board to retain legal assistance to draft a new law to be presented to the next legislature.

It is our opinion that the third paragraph of Section 4 of Chapter 356 would permit you to employ legal advice for the purpose you have mentioned. With respect to such legal services employed by your board, we should like to advise you that such attorney must first receive the approval of the Attorney General before his services may be retained.

James G. Frost
Assistant Attorney General

jgf/c