

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of  
the Maine Attorney General as transferred to  
the Maine State Law and Legislative Reference  
Library on January 19, 2022**

22  
August 21, 1957

Kernit S. Nickerson, Deputy Commissioner      Education

Roger A. Putnam, Assistant      Attorney General

Application for State Funds for School Planning

I have your memorandum of August 9, 1957, in which you ask if it will be proper for the Commissioner to allocate funds under the provisions of Section 235 of Chapter 41 of the Revised Statutes of 1954 to the Swift River Valley Community School District to reimburse them for one-half of the cost of the survey and the plans for the new school house which is owned and operated by the School District.

You will note that the part of Section 235 that we are interested in provides as follows:

"Such interest shall accrue to a fund to be allocated to towns by the Commissioner for the purpose of surveying school systems and developing school plans. Said allocation shall not in any case exceed one-half of the cost of such surveys or plans."

As the law exists today, which is August 21, 1957, I do not believe that under this statute the Commissioner is empowered to allocate the funds to a community school district. However, I call your attention to the Jacobs Bill, so-called, which is Chapter 364 of the Public Laws of 1957, effective August 28, 1957. In which bill Section 235 of Chapter 41 of the Revised Statutes of 1954 is amended by Section 95 of Chapter 364 of Public Laws of 1957 by striking out the word "towns" above-mentioned and inserting the words "administrative units".

Section 96 of Chapter 364 of the Public Laws of 1957, effective August 28, 1957, defines an administrative unit as follows:

"The term 'administrative unit' shall include all municipal or quasi-municipal corporations responsible for operating public schools."

The Swift River Valley Community School District operates public schools and falls within the term of quasi-municipal corporations, so under the definition which becomes law August 28, 1957, the Swift River Valley Community School District could legally be paid. Prior to this date, it is our opinion that they cannot be paid.

Roger A. Putnam  
Assistant Attorney General

ran/m