

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)

STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1959 - 1960

MAINE STATE
LIBRARY

of an industrial project. Reference should also be made to Section 2, Chapter 38-B to determine the purpose of the act.

It is my opinion that the construction of an office building as shown by the facts is not eligible for mortgage insurance under Chapter 38-B upon completion.

GEORGE A. WATHEN
Assistant Attorney General

June 19, 1959

To: Peter W. Bowman, Superintendent of Pineland Hospital & Training Center

Re: Establishment and Enforcement of Traffic Rules and Regulations on Institution Grounds

We have your memo of June 2, 1959, in which you ask this office to define your authority as Superintendent of Pineland Hospital and Training Center as it relates to the establishment and enforcement of traffic rules and regulations on the institution's grounds.

Establishment of enforceable traffic laws or rules and regulations must be authorized by the legislature and enforced by a court. Only a court may collect a fine or penalty imposed for violation of a law or a rule and regulation.

For instance, Chapter 158, Private and Special Laws of 1957, permits rules and regulations to be promulgated by the superintendent of public buildings subject to the approval of the Governor and Council and to be enforced by a special police officer employed by the State. This chapter, however, limits the scope of such rules and regulations to roads and driveways on lands maintained by the State at the seat of government (Augusta) and does not embrace grounds at Pineland.

We are of the opinion that such grounds would be considered public ways and complaint can be made to a court whenever laws relating to such ways are violated.

It would be proper for you to designate certain parking areas for institution employees, but such an administrative act would not be enforceable by way of fine, forfeiture, or like penalty.

JAMES GLYNN FROST
Deputy Attorney General

June 19, 1959

To: Kermit Nickerson, Deputy Commissioner of Education

Re: Teacher's Contracts

You have requested an opinion regarding the following fact situation:

A teacher was employed as a probationary teacher for a period of three years on annual contracts. At the end of the three-year