

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 calender years

1961 - 1962

OPINIONS

January 5, 1961

To: T. T. Trott, Jr., Director of Research & Statistics, Labor & Industry

Re: Information for Labor Directory

I have your request of December 15, 1960, relating to acquiring statistics from the Maine State Federated Labor Council.

Section 2, Chapter 30, Revised Statutes of 1954, provides in part:

"The department shall collect, assort and arrange statistical details relating to . . . trade unions and other labor organizations and their effects upon labor and capitol."

Section 3 provides that the commissioner may furnish a list of interrogatories "to any person, or the proper officer of any corporation operating within the state. . ."

The informant required to answer shall not have his name disclosed without his consent and it is further provided that such information is confidential.

It appears that under Section 3 you can require the information by interrogatories.

GEORGE A. WATHEN

Assistant Attorney General

January 10, 1961

To: Honorable John L. Knight
Chairman of the House Committee on Elections
House of Representatives
State House
Augusta, Maine

Dear Mr. Knight:

We have your inquiry with regard to the status of absentee votes in the contest by Carlton Day Reed, Jr., against T. Tarpyn Schulton for a seat in the Maine House of Representatives. We understand that approximately 113 absentee ballots are being challenged by Mr. Reed because the applications were not signed by the selectmen pursuant to the provisions of Section 7, Chapter 6, Revised Statutes of 1954. It is understood that there is no allegation of fraud in connection with this contest and that the ballots themselves were properly signed by the voters.

Section 13 of Chapter 6 says that:

"No ballot presented under the provisions of this chapter shall be rejected for any immaterial addition, omission or irregularity in the preparation or execution of any writing or affidavit required herein, nor shall any such ballot be counted if the officers charged with the duty of counting the same are cognizant of the fact that the voter has died prior to the opening of the polls on the day of election."

In an opinion given former Governor Muskie by the Justices of the Law Court on the eleventh day of December 1956,¹ the court differentiated between