

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

April 12, 1961

To: Frances J. Banks, R. N.
Maine State Board of Nursing
363 Main Street
Lewiston, Maine

Dear Mrs. Banks:

I have your letter of April 11th presented to me by Miss Mary Sullivan, R.N., a member of your board.

The answer to your question — “Can a member of the board be appointed and serve as acting executive director of an interim period?” is “No.” Chapter 69-A, section 3, III-M specifically prohibits such action.

I see no reason, however, why a member of the board acting in her capacity as a member of the board cannot perform such functions as will enable the board to continue to operate effectively under the law until such time as the post of executive director is filled. In the performance of such duties she may receive compensation as set forth under section 3, V of Chapter 69-A.

Very truly yours,

FRANK E. HANCOCK

Attorney General

April 14, 1961

To: Kermit S. Nickerson, Deputy Commissioner of Education

Re: Occupational Course Law

This is in answer to your request for an opinion dated March 31, 1961.

As I understand the factual situation described in your memorandum, Town A, which maintains a standard secondary school but offers no occupational courses, proposes to send its students to Town B for the purpose of taking occupational courses of study offered by Town B. In return Town A is to offer driver education courses to the students of Town B.

You have inquired whether or not Town A under the provisions of Section 107, Chapter 41, Revised Statutes of 1954, has the authority to make such an arrangement. Section 107 provides in part as follows:

“ . . . Any youth whose parent or guardian maintains a home for his family in an administrative unit that maintains, or contracts for school privileges in, an approved secondary school which offers less than 2 approved occupational courses of study, and who has met the qualifications for admission to the high school in his town, may elect to attend some other approved secondary school to which he may gain admission for the purpose of studying an occupational course not offered or contracted for by the administrative unit of his legal residence.”

Town A, therefore, has authority under the law to send its students to Town B for the purposes of studying the occupational courses. There is no authority in