

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calender years

1961 - 1962

the law, however, to allow Town B to send its students to Town A for driver training course since driver training is not an occupational course.

Under Section 107 Town A and B may agree to a tuition charge for the occupational courses offered by Town B to the students of Town A. There is no authority to substitute an offer of a non-occupational course for a tuition charge.

You have also inquired whether or not Town A by virtue of such an agreement would be considered under the provisions of Section 107 as contracting for school privileges.

I am of the opinion that Town A would not be considered as contracting for school privileges within the meaning of Section 107. The words "or contracts for school privileges" as used in Section 107 refer to contracts for an entire curricular rather than for a limited number of occupational courses.

RICHARD A. FOLEY

Assistant Attorney General

April 20, 1961

To: Roderic O'Connor, Manager of Maine Industrial Building Authority

Re: Definition of Industrial Project as including an Engineering and Office Building

This is in answer to your request for an opinion dated April 6, 1961, as to whether or not a combination engineering and office building which will be adjacent to a manufacturing operation qualifies for state mortgage insurance under the Industrial Building Authority Law.

Revised Statutes of Maine of 1954, Chapter 38-B, Section 5, paragraph III defines "Industrial Project" as follows:

"III. 'Industrial project' shall mean any building or other real estate improvement and, if a part thereof, the land upon which they may be located, and all real properties deemed necessary to their use by any industry for the manufacturing, processing or assembling of raw materials or manufacturing products."

It is my opinion that the Industrial Building Authority is justified in making a finding of fact under Section 9-A of the law that a combination engineering and office building which is adjacent to and an integral part of a manufacturing operation is eligible for mortgage insurance as an "industrial project" within the meaning of Section 5, paragraph III, supra.

RICHARD A. FOLEY

Assistant Attorney General

April 20, 1961

To: Roderic O'Connor, Manager of Maine Industrial Building Authority

Re: Eligibility of Hatchery Plant

This is in answer to your request for an opinion dated April 6, 1961, as to whether or not a "hatchery" which is an integral part and adjacent to a poultry