

# MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calender years

1961 - 1962

The so-called Right to Know Law in general provides that any administrative body composed of three or more members must transact its business at public meetings. The minutes of such meetings as are required by law shall be promptly recorded and open to public inspection except as otherwise specifically provided by statute.

A further provision of this law states that every citizen of this State shall, during the regular business or meeting hours of all such bodies or agencies have the right to inspect all public records including minutes of meetings and take memoranda abstracts or photographic or photostatic copies of the records or minutes so inspected.

It would appear that any actions taken by your Board as a group are of a public nature, especially as the act creating your Board does not provide that such acts shall be confidential.

If there are any other records of your office which you feel should be confidential and you wish a further ruling from this office, you should specify the nature of these records in order for this office to properly advise you.

Very truly yours,

GEORGE C. WEST

Deputy Attorney General

August 8, 1961

To: Joseph T. Edgar, Deputy Secretary of State

Re: Connor Voting District, Aroostook County

You have asked when Chapter 81, Resolves of 1961, becomes effective.

This resolve becomes effective on September 16, 1961, being 90 days after final adjournment of the legislature. However, it should be pointed out that it is effective only so far as it pertains to elections for the choice of Representatives to the 101st, and subsequent, Legislatures. If by any chance a special election is held to fill a vacancy in the 100th Legislature, the present legislative districts would be used.

You have asked a second question relative to the township of Connor, particularly as it pertains to where the voters of that township will vote in the October 10th Referendum Election.

Chapter 360 of the Public Laws of 1961 "An Act Revising the Election Laws" becomes effective on September 16, 1961, also. This law will be in effect at the date of the October 10th Referendum Election. So its provisions will control the voting at that election.

Section 29 of Chapter 360 provides the method of determining the place of voting of the voters in a township. In substance, this section provides that such a voter may register, enroll and vote in any town within his representative district. There are then some exceptions which do not need elaboration in this opinion.

The October 10th election does not elect Representatives to the Legislature; therefore, Chapter 81 of the Resolves of 1961 does not govern the place of voting. Until the June, 1962 primary, voters of the township of Connor are in the

Representative District comprised of Limestone, Stockholm, Caswell Plantation, Cyr Plantation and Hamlin Plantation. Consequently, by virtue of section 29 of Chapter 360, the voters of the township of Connor may register and vote in any of these places.

Revised Statutes 1954, Chapter 10, section 22, paragraph XIX, provides that in statute construction "The word 'town' includes cities and plantations, unless otherwise expressed or implied." Also section 5 of the new election law provides "The provisions of this chapter pertaining to towns apply equally to plantations."

At the present time the voters of Connor are registered in Limestone in a separate polling place by virtue of section 65 of Chapter 5, Revised Statutes of 1954. Although this law has been repealed and will not be in effect on October 10, 1961, it would appear to be advisable to have the voters of Connor vote at their usual voting place and under their usual conditions rather than re-register in one of the other places in this representative district for this one Referendum Election.

Beginning with the June, 1962 primary, the provisions of section 29 of Chapter 360 of the Public Laws of 1961, and Chapter 81, Resolves of 1961, will be effective. In that and subsequent State elections through 1972, the voters of Connor will register, enroll and vote in any town within their representative district unless allowed individually to register in some other town by the Secretary of State. The new representative district is comprised of Van Buren, Caswell Plantation, Cyr Plantation, Hamlin Plantation and Connor. The voters of Connor may register and vote in any one of the other four places in that representative district.

We would call your attention to section 195 of Chapter 360, Public Laws of 1961, whereby the municipal officers may divide a town into voting districts.

GEORGE C. WEST

Deputy Attorney General

August 15, 1961

To: Maine Real Estate Commission

Re: New Fees

In your memo of August 14 you have asked for an opinion as to whether or not you are within your rights to notify the applicant for a license or an examination of the changes in the fees upon receipt of an application accompanied by fees in the amounts required prior to September 16.

Chapter 138, Public Laws of 1961, raised the fees for examination licenses and renewal of licenses. This chapter becomes effective September 16, 1961.

The date of the receipt of an application has no bearing on the amount of fee to be accepted. The important date is the date of the giving of an examination or the granting of a license, whichever is involved.

If the examination is to be held subsequent to September 16, the fee will be \$20.00 regardless of when the application for the examination is filed. If the license is to be granted subsequent to September 16, the fee will be that set forth in Chapter 138, Public Laws of 1961, regardless of when the application was filed.