

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calender years

1961 - 1962

September 18, 1961

To: Alfred Boudreau
State Board of Barbers & Hairdressers
1096 Broadway
South Portland, Maine

Dear Sir:

We have your letter of September 11, 1961, requesting an opinion as to the duties of the executive secretary of the Board of Barbers and Hairdressers. As we understand it, you are requesting an opinion as to whether under the provisions of Chapter 359, Sections 213 and 230A of the Public Laws of 1961, the executive secretary of the Board of Barbers and Hairdressers will be required to make personal inspections of barbers and hairdressers establishments or whether these inspections can be conducted by special inspectors under the direction of said secretary.

As of September 16, 1961, Revised Statutes, Chapter 25, Section 213, is no longer in effect and has been replaced by the above Chapter 359. The old provisions have now been repealed and we will not consider them in answering your question. Paragraph 4 of Section 213 of the new law clearly states that the executive secretary shall make sanitary inspections as directed by the Board. This section also provides for the employment of special inspection personnel. Taking these two provisions together, it is our opinion that if the Board so directs, the executive secretary may turn over all inspection duties to his Board of Inspectors.

As Section 230A of Chapter 359 is substantially identical to Section 213, the same rules of construction would govern.

It is our conclusion, therefore, that the executive secretary need inspect neither hairdressing establishments nor barber shops personally unless so directed by the State Board of Barbers and Hairdressers.

Very truly yours,

THOMAS W. TAVENNER
Assistant Attorney General

September 19, 1961

To: Mrs. Ina G. Bean, R. N.
Board Member
Maine State Board of Nursing
363 Main Street
Lewiston, Maine

Dear Mrs. Bean:

I have your letter of September 15 replying to my letter of August 4. It is rather difficult to draw a definite line as to what records may be considered public records and what records may be considered confidential.

I believe, however, that the first section of the so-called Right to Know Law perhaps gives considerable assistance in framing a definition. This section says: