

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT
OF THE
ATTORNEY GENERAL

for the calender years

1961 - 1962

April 25, 1962

To: Asa Gordon, Coordinator of Maine School District Commission

Re: Election of School Directors

You have inquired whether or not in the formation of a school administrative district a town should vote to elect certain directors as their representatives when voting whether or not to form the district even though a certificate of organization has not issued from the Maine School District Commission.

The Revised Statutes of Maine of 1954, chapter 41, section 111-F, subsection IV, provides in part as follows:

“ . . . the commission shall order the question of the formation of the proposed School Administrative District and *other questions relating thereto* to be submitted to the legal voters of the municipalities which fall within the proposed School Administrative District. . . .” (Emphasis supplied)

One of the articles required to be voted on in this section is as follows:

“Article : To choose school director(s) to
Number
represent the town on the Board of School Directors of School Administrative District No. . . .”

I am of the opinion that the vote to choose directors should be held at the same time as the vote to see whether or not the town will join the district.

RICHARD A. FOLEY

Assistant Attorney General

May 4, 1962

Mr. John P. Harriman
36 Pitt Street
Portland, Maine

Dear Mr. Harriman:

I have your letter of May 1 confirming the telephone conversation which we had on April 27th. I also have copies of the letters written to you by Horace P. Bond under date of June 19, 1961 and Richard E. Cutting written April 16, 1962.

The Atlantic Sea Run Salmon Commission met at the State House on May 2 so I discussed this matter with them. I also went over the “Right to Know” law and explained its meaning to them. Normally, this office would not give an interpretation of this law to a private citizen as we are limited by law so that we may give advice and opinions only to the Governor and Council, the respective branches of the legislature, and to department heads on questions of law that affect the State. Because of the situation involved here I feel it is only fair to you and your association that I explain our interpretation of this law.

Public Laws of 1959, chapter 219, adds six new sections numbered 36 to 41 to chapter 1 of the Revised Statutes. Section 37 provides that the term “public proceedings” shall mean the transactions of any function affecting any and