

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT
OF THE
ATTORNEY GENERAL

for the calender years

1961 - 1962

Answer: If the school administrative district constructed the schools, then the district only should be reimbursed under section 235 for the cost of the school plans. Because of limitations of funds available under section 235, the Commissioner has ruled that no more than \$2,000 will be allocated to an administrative unit for school plans for any one year. Even though the school plans may involve several separate buildings in the administrative unit, the commissioner can properly limit the allocation to the administrative unit of the grant under section 235 based upon the aggregate cost of the school plans rather than considering the plan for each building as a separate plan requiring the allocation of a grant under section 235 for each such plan.

RICHARD A. FOLEY

Assistant Attorney General

September 19, 1962

To: Warren G. Hill, Commissioner of Education

Re: Educational Television Programs

You have inquired whether the Department of Education has the authority under Chapter 121 of the Resolves of 1961 to contract with and pay to T. V. Station WCBB for the transmission of educational television programs under the Department's sponsorship. The resolve provides funds ". . . to produce or contract for educational television programs . . ."; this language clearly authorizes the proposed contract with WCBB.

RICHARD A. FOLEY

Assistant Attorney General

September 21, 1962

To: E. L. Walter, Assistant Executive Secretary, Maine State Retirement System

Re: Payment of Deceased Member's Retirement Account and Group Life Insurance

A member of the retirement system designated his wife as beneficiary for his retirement account. Subsequent to this act a divorce took place. Apparently there were no children. The member died without changing the designated beneficiary.

Question: Who is eligible to receive any retirement benefits available from his retirement account?

Answer: The designated beneficiary.

Chapter 63-A, section 9, provides in part:

"I. Should a member die any time before attaining eligibility for retirement, one of the following payments shall be made.

A. The amount of his contribution to the members' contribution fund together with not less than $\frac{3}{4}$ of the accumulated regular interest, as the board of trustees shall allow, shall be paid to *such person*, if any, as he has nominated by written designation duly acknowledged and filed with the board prior to his death." (Emphasis supplied)