

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

For The Calendar Years

1963 - 1964

February 8, 1963

To: Vance G. Springer, Director
Bureau of Administration, Health and Welfare

Re: Tuberculosis Hospital Building, Fort Fairfield

You have advised that construction of the above building has been completed. It is now necessary to provide for certain custodial care of the building until funds to equip and staff it are made available. Such custodial care includes watchmen, heat, utilities, and water, at least.

The question is whether these services may be provided out of construction funds provided by the General Fund Bond Issue of 1959.

We believe they can.

The bond issue was provided by Chapter 175, Private and Special Laws 1959. Section 1 provides in part:

“ . . . serial coupon bonds . . . for the purpose of raising funds to provide for such construction, repairs, equipment, supplies and furnishings, as authorized by section 6.”

Section 6 is the allocation from General Fund Bond Issue. One paragraph of section 6 provides:

“The Commissioner of Health and Welfare is authorized to contract with the trustees of the Community General Hospital for necessary services after the construction. Such services shall include, but not be limited to, food, heat, sewerage, water and other services necessary for the well-being of the patients in the annex.”

The language of the Act is broad enough to allow the Commissioner to use construction funds for custodial care until funds are provided by the legislature.

GEORGE C. WEST

Deputy Attorney General

February 14, 1963

To: Honorable Walter A. Birt
House of Representatives
State House
Augusta, Maine

Dear Representative Birt:

Your letter received February 13, 1963, is answered below.

Facts:

At a 1962 annual town meeting, the town elected one member to the superintending school committee to fill the vacancy arising due to the expiration of that particular post. Shortly after the annual town meeting all three of the superintending school committee members resigned necessitating the special election of three new members of the superintending school committee. These newly elected members were to serve terms which would expire at the next annual town meeting (1963).

Question:

Whether, at the 1963 annual town meeting, the members of the superintending school committee may be elected for specified terms, i. e., one for