

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

For The Calendar Years

1963 - 1964

The words "municipal officers" and "municipal officials" for the purposes of R. S., c. 41, § 111-J-1, are synonymous.

Respectfully yours,

JOHN W. BENOIT

Assistant Attorney General

October 18, 1963

To: Kermit N. Nickerson, Deputy Commissioner of Education

Re: Conveyance Contracts in School Administrative Districts

Your memorandum of September 16, 1963 is acknowledged.

Facts:

On September 12, 1947, Ralph W. Farris, Attorney General, forwarded a legal opinion to your department which stated that towns were authorized to purchase school buses on a conditional sales contract basis financed over a three-year period pursuant to Section 8 of Chapter 37, R. S. (now § 14, c. 41, R. S., as amended).

Presently, R. S., c. 41, § 111-N contains language similar to the language existing in c. 37, § 8, R. S. when Attorney General Farris wrote the aforementioned opinion; and the only difference in substance is that the former section referred to towns while the latter section refers to school administrative districts.

Question:

Whether the principle expressed in the September 12, 1947 opinion applies to school administrative districts?

Answer:

Yes.

Reason:

Because of the similarity of c. 41, § 111-N, R. S., as amended, to the law which was before Attorney General Farris in 1947 (c. 37, § 8, R. S.) when he wrote the opinion already mentioned, we incorporate the principle expressed therein as being applicable to school administrative districts.

JOHN W. BENOIT

Assistant Attorney General

October 25, 1963

To: Raeburn W. Macdonald, Chief Engineer
Water Improvement Commission

Re: Industrial Wastes

Facts:

The Water Improvement Commission is continually running into the insistence that a municipality building a treatment plant must consider the fact that they can be obliged to admit to the system, even though the system was designed for sanitary sewage alone, industrial waste irrespective of whether amenable to the process designed for sanitary waste and regardless