

MAINE STATE LEGISLATURE

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✓
Yes
March 23, 1966

Kermit S. Nickerson, Deputy
Commissioner

Education

John W. Benoit, Assistant

Attorney General

Addendum to our Opinion Dated March 18, 1966.

We acknowledge receipt of your interdepartmental memorandum rendered under the date of March 18, 1966.

Our March 18, 1966 opinion was concerned with the single question whether the board and room fees established for the 1966-67 school year at the Maine School of Practical Nursing in Waterville must share in the amortization of the principle and interest on the bonds to be issued pursuant to the Private and Special Laws of 1965, c. 162. We answered the question in the negative. It was not our intention to limit the assessment and collection of fees to those State institutions as would actually receive a project from the bond proceeds. It was stated in our opinion that no question was presented concerning the board and room fees at the Teachers Colleges and Vocational-Technical Institutions.

"Shortly, the State Board of Education will be required to establish board and room fees or rentals for the use of housing and dining facilities at the teachers colleges and vocational-technical institutes. No problem is presented regarding the determination of charges for dormitories or dining facilities owned and operated by the State. The pattern has been established in two earlier similar bond issues."

We said, in our opinion of March 18, 1966, that the reference Act did not encompass the Maine School of Practical Nursing in Waterville. We meant that the terms of the Act did not require an adjustment of the board and room fees at the subject school of practical nursing. We then stated, in broad language, that the Act intended to affect the board and room fees to be charged to students at the State Teachers Colleges and at the Vocational-Technical Institutes. Our next statement, that the Act benefited those institutions, was not intended to be more than a statement of fact.

I am sorry that the reference opinion permitted a dual interpretation. If the State Board of Education desires further attention in this matter, please do not hesitate to call upon us.

John W. Benoit
Assistant Attorney General

JWB/eh