

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT
OF THE
ATTORNEY GENERAL

For the Years
1967 through 1972

establishment of administrative procedures to be utilized to handle mental retardation problems; provided, of course, that both funds and personnel are available.

JOHN W. BENOIT
Assistant Attorney General

March 7, 1968
University of Maine – Orono

Jay Bryant, Producer-Director

Town Meeting and Right of Privacy

FACTS:

It is proposed that the Maine Educational Television Network Televis a town meeting live.

QUESTION:

Whether a town meeting is a “public” event, in the sense that persons who participate in it are, by that fact, abrogating their rights to privacy for the period of the meeting.

OPINION:

Yes, to a limited extent.

REASON:

A town meeting exists for the purpose of accomplishing both legislative and executive functions. The powers of the town are exercised by vote of a town meeting *Pollard v. City of Norwalk*, 142 A. 807, 108 Conn. 145; *In re Opinion of the Justices*, 154 A. 647, 51 RI 322. The qualified inhabitants of a town must meet, deliberate, act, and vote in their natural and personal capacities if the corporate powers of the town are to be exercised.

The public does have an interest in knowing of most events which occur at a town meeting and certainly of those events which can be said to be truly public in nature. However, there can be no guarantee that the telecasting of those events would not result in litigation being brought against the Network.

Generally, a person’s right of privacy is waived (as to publicity of public events) by his participation in the particular public event.

GARTH K. CHANDLER
Assistant Attorney General

March 8, 1968
Labor and Industry

Marion E. Martin, Commissioner

Authority of Commissioner of Labor and Industry to Enter into Reciprocal Agreements with other States.