

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT
OF THE
ATTORNEY GENERAL

For the Years
1967 through 1972

March 20, 1968
Secretary of State

Stanley F. Hanson, Jr., Deputy

Registration of Voters in Indian Voting Districts

The question which Commissioner Hinckley of the Department of Indian Affairs has asked of you, is basically the following:

QUESTION:

May a Reservation Chaplain who resides on a Reservation register and vote in an Indian Voting District?

ANSWER:

No.

OPINION:

In an opinion of this office rendered on September 6, 1955 it was held that white persons and Indians who were non-citizens could not vote on the respective reservations. The wording of subsections 4 and 5 of section 1622 of Title 21 of the Revised Statutes (Indian Voting District Law) leads to an affirmation of this opinion.

It is true that the statutory language of subsection 4, standing alone, is clearly broad enough in scope to include the registration of all residents duly qualified to vote, whether they be Indians or not. Subsection 5 designates rather clearly that the registration commissioner of each Indian voting district shall register only "Indian voters", however.

Reading subsections 4 and 5 conjunctively, we believe the Legislature did not contemplate the registration of non-Indian voters within Indian voting districts.

PHILLIP M. KILMISTER
Assistant Attorney General

March 28, 1968
Water and Air Environmental
Improvement Commission

George C. Gormley, Civil Engineer

Eligibility of Pleasant Point Passamaquoddy Reservation Housing Authority for WAEIC aid under 38 M.R.S.A. § 411 (1964).

FACTS:

The Pleasant Point Passamaquoddy Reservation Housing Authority created by 22 M.R.S.A. § 4733 (Supp. 1968) proposes to construct a pollution abatement facility. The Authority has received federal approval of its proposed project and federal funds in aid of construction. The Authority now applies to the Water and Air Environmental