

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT
OF THE
ATTORNEY GENERAL

For the Years
1967 through 1972

in which a person or corporation conducts the sale of tax free liquor, cigarettes, or any other duty free commodity is a matter for regulation by Customs Officials.

PHILLIP M. KILMISTER
Assistant Attorney General

March 4, 1969
State Board of Registration
of Land Surveyors

Richard A. Coleman, Chairman

Non Citizens as Land Surveyors

SYLLABUS:

Persons who are not citizens of the United States may be registered as Land Surveyors in Maine.

FACTS:

A person who is not a citizen of the United States seeks to register as a Land Surveyor in Maine under the provisions of 32 M.R.S.A. §1661 et seq.

QUESTION:

Does an applicant have to be a citizen of the United States to qualify for registration as a Land Surveyor in the State of Maine?

ANSWER:

No.

REASONS:

Section 1681 of Title 32 states in part that the minimum satisfactory evidence to the board of qualification for registration is the:

“ . . . holding a certificate of registration to engage in the practice of land surveying issued to him on the basis of a written examination by the proper authority of a state, territory, possession of the United States, the District of Columbia *or of any foreign country*, based on requirements and qualifications, as shown by his application which, in the opinion of the board, are equal to or higher than the requirements of this chapter, may be registered at the discretion of the board.” (Emphasis supplied).

The board is to give primary concern in complying with the above quoted section to the written examination of the geographical and political areas described. Foreign country examinations are specifically included. Persons taking such a written examination in a foreign country could well be non-citizens of the United States. Inasmuch as the quoted section bases that particular minimum on the examination taken and there being no provision elsewhere in the statute specifically precluding non-citizens of the United States from registering in Maine, the board may in its discretion register such persons as it determines are qualified.

GARTH K. CHANDLER
Assistant Attorney General