

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT
OF THE
ATTORNEY GENERAL

For the Years
1967 through 1972

reimbursement prior to such advancement. Language in subsection (2) confirms this when it says that such aid is to be made "in anticipation of reimbursement". More conditional language is found in sub (2) requiring federal funds to go to the State Treasurer "in the event that any federal program reimburses the State". The conclusion is that subsections 411 (1) and 411 (2) must be read without reference to each other.

JOHN M. R. PATERSON
Assistant Attorney General

May 29, 1970
State

Joseph T. Edgar, Secretary of State

SYLLABUS:

A sticker may contain more than the name of one candidate provided the names are so spaced as to appear opposite the squares in which the check mark or cross must be placed.

FACTS:

In the city of Portland each party is entitled to nominate 11 candidates for Representative to the Legislature. The Republican Party has only five candidates who filed nomination papers and will appear on the printed ballot. A campaign is being inaugurated to have six additional candidates on the ballot as write-in candidates. The group sponsoring this movement wishes to make one sticker which will contain the names and residences of six candidates.

QUESTION:

Is it legal for a group of write-in candidates in the coming Primary Election to have printed stickers to be pasted on the ballots listing the names and residences of the entire group of candidates all on the one sticker, or must each candidate provide a separate sticker for his own particular candidacy?

ANSWER:

Yes, it is legal to use one sticker with several names.

REASON:

21 M.R.S.A. §701 states what must appear on a Primary Election ballot. Subsection 2 D of that section reads as follows:

"Space for write-ins. At the end of the list of candidates for nomination to each officer, there must be left as many blank spaces as there are vacancies to be filled, in which a voter may write or paste the name, without any title, of any person for whom he desires to vote, in which event he shall write in or paste in the residence of the person whose name is written in, before his vote shall be counted."

The only thing that is required is that the person's name and residence appear on the

sticker. It will be necessary that the names be spaced in such a manner that they appear directly to the left of the square in which the voter must insert a cross or a check mark in accordance with the instructions set forth at the top of the ballot in accordance with section 701, subsection 2 A.

If the sticker is printed properly, there is no reason why the one sticker carrying the name and the residence of each of the six candidates cannot be used.

GEORGE C. WEST
Deputy Attorney General

June 15, 1970
Aeronautics

Linwood F. Wright, Director

“Authorized representative of a political subdivision; Aeronautics; ‘School Teacher’ ”.

SYLLABUS:

A public school teacher is not an “authorized representative” of the city where the teacher is employed, within the meaning of 6 M.R.S.A. § 12, so as to permit the Aeronautics Director to grant funds to that teacher in furtherance of the teacher establishment of an aeronautics course of study.

FACTS:

The provisions of 6 M.R.S.A. § 12 permit the Director of Aeronautics to “advance the interest of aeronautics” in the State by, among other things, “assisting and advising authorized representatives of political subdivisions within the State in the development of aeronautics * * *”. The provisions of 6 M.R.S.A. § 162 create an airport construction fund to be utilized, inter alia, to “Develop and promote aviation within this State”. 6 M.R.S.A. § 162.

A public secondary school science teacher in a city (not involving a school administrative district) seeks assistance from the Aeronautics Director to establish an aviation course at the school where he is employed; and if this is possible under 6 M.R.S.A. § 12, then the companion question involves the source of funds for such assistance. The teacher requests a grant of funds to subsidize his education as a condition precedent to establishing the aeronautics course in the school program.

QUESTIONS:

1. Would a public secondary school science teacher in a city be considered an authorized representative of a political subdivision within the meaning of 6 M.R.S.A. § 12?
2. If so, can the Director legally grant moneys to the teacher from the fund appropriated under 6 M.R.S.A. § 162?

ANSWERS:

1. No.
2. Since the answer to question No. 1 is negative, no response is necessary on question No. 2.