

# MAINE STATE LEGISLATURE

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Applicants for Osteopathic Loans, (Citizenship requirements)

Two applicants for osteopathic loans are not citizens of the United States but are citizens of India and Jamaica, respectively. One applicant has lived in Maine for nearly four years and the other has lived in Maine for a period of seven years.

20 M.R.S.A. §2241-2244 (P.L. 1971 c. 526) provides for the establishment of An Osteopathic Loan Fund to provide financial assistance to students of osteopathy who agree to practice their profession within the State of Maine upon completion of their medical internship or (medical) residency requirements.

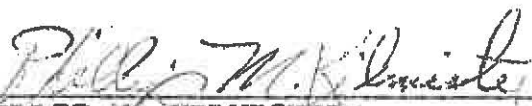
Eligibility for qualification for a loan requires, inter alia, that the loan applicant must be a resident of the State of Maine for a minimum period of three years.

Question

Notwithstanding that an applicant for an osteopathic loan has established residency in Maine, must he have attained United States citizenship in order to establish "residency" under the Osteopathic Loan Act? No.

A student or prospective student of the science of osteopathy who is a citizen of a foreign country, may, at the same time, establish residency within the State of Maine, so as to qualify for a loan from the State Osteopathic Loan Fund.

A person can establish a sufficient connection with the State of Maine so as to establish residency, and yet need not renounce his foreign citizenship. Citizenship, when used in the sense of nationality, refers to a person's relationship to a country, and may not be the same as domicile. One may be domiciled in one country while he retains citizenship in another. see 25 AM. Jur. 2d (Domicile) § 9, pp 10-100; Stadtmuller v. Miller, 11 F. 2d 732, 45 A.L.R. 895 (1926). The ability to maintain "citizenship" in one country while establishing residence in another country or state, is so well established as to require no further elaboration.

  
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PMK/bls

AN INFORMAL OPINION