

MAINE STATE LEGISLATURE

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STATE OF MAINE



REPORT

OF THE

ATTORNEY GENERAL



for the calendar years

1941--1942

February 11, 1941

Mr. H. E. Rodgers
State Controller
State House
Augusta, Maine

Dear Sir:

In response to your inquiry of February 3, I will say that I have given careful study and thought to the matter of the 10% discount given to hotels and clubs by the Liquor Commission.

As I view the matter, the Liquor Commission is not a sales agency but rather an administrative body with rather limited powers. I am inclined to feel that the granting of discounts from the retail prices goes beyond the intent of the Legislature in setting up the Commission. It seems to me that had the Legislature intended that the Commission should have the power to set different prices among different classes of customers, that fact would have been expressly stated.

In that connection there is a bill before the present Legislature, L. D. 508, which authorizes the Commission to give discounts of not in excess of 10%.

Very truly yours,

FRANK I. COWAN
Attorney General

February 27, 1941

George W. Leadbetter, Esquire
Commissioner of Institutional Service
Augusta, Maine

Dear George:

I have your letter of February 25th, asking an opinion regarding the release of persons from institutions other than the prison as outlined in your letter of January 27th. We do not find any letter of January 27th from you. We have, however, found an undated memorandum with reference to Chapter 1, Section 370, Public Laws of 1933, and Chapter 223, Section 7, Public Laws of 1939 on which appears the following question: "If paroled, would the Parole Board have authority to discharge them before the expiration of the maximum period; that is, in less than one, three or five years from time of commitment?"

In Section 366 of Chapter 1, Public Laws 1933 I find the words "shall be imprisoned and detained in accordance with the sentences