

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1943--1944

I noticed also in the file that numerous copies were made of this, and I should judge perhaps for distribution, as it does not seem that the Chief Justice would have written an answer to this inquiry unofficially, that is to say, not acting as the court, unless the problem was then of some concern.

I do not find where any change has been made, nor has any action ever been taken to include a member of the legislature in this provision. Nor do I find any legislation on the subject which would invalidate any contract made with the State. While dealings between a member of the legislature and the State would arouse suspicion with some people and while many of us would not look upon such dealings with favor, nevertheless I find nothing in the law which would prevent them or void them.

ABRAHAM BREITBARD

Deputy Attorney-General

February 24, 1944

Arthur R. Dickson, Chairman
Board of Selectmen
Old Orchard Beach, Maine

Dear Sir:

I have your letter of February 21st, asking the following question: "Is there any necessity of a man paying a poll tax in the community in which he votes or can he pay it in his former home."

The poll tax law and the law in regard to registration of voters are entirely separate. The poll tax law (P. L. 1939, c. 191, §1) reads, in part, as follows: "The poll tax shall be assessed on each taxable person in the place where he is an inhabitant on the first day of each April."

The registration law provides as follows: (P. L. 1935, c. 80) "Every person who shall have his residence established in this state for a term of six months next preceding election shall have the right to vote at every such election in the city, town or plantation where his residence is so established; and such right to vote at national and state elections in such city, town or plantation shall continue for a period of three months after his removal therefrom if he continues to reside in this state during said period;"

From the above it is very clear that a person might have lived in a certain city, town or plantation for six consecutive months prior to (1) the November National election (2) the November or December city or town election (3) a March town meeting (4) a special election held at any time between October 2nd or April 1st, and be eligible to be registered as a voter although he has not been taxable in the municipality prior to the time of such registration.

Very truly yours,

FRANK I. COWAN

Attorney-General