

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1945-1946**

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July 6, 1945

To: Hon. Harold I. Goss, Secretary of State  
Re: Chapter 342 of the Public Laws of 1945

. . . This statute provides for what are called reciprocity privileges. It provides:

“No motor truck or trailer travelling in this state only in interstate commerce, and owned in a state wherein an excise or property tax shall have been paid on said vehicle, and which grants to Maine owned trucks and trailers the exemptions herein contained, shall be subject to this excise.”

I note that in making up your schedule of reciprocal privileges to be granted to motor vehicle operators resident in States other than Maine you learned that two States on the Atlantic seaboard have no provision for the assessment of either excise or personal property tax on motor vehicles owned in said States, and that your interpretation is that the legislature intended by this reciprocity law to grant to the owners of vehicles resident in other States all privileges that such States grant to owners of motor vehicles resident in the State of Maine.

It is my opinion that the reciprocity privilege of operating in Maine in interstate commerce without the payment of the Maine excise tax should be extended to owners of vehicles resident in States wherein no excise or property tax is levied.

RALPH W. FARRIS  
Attorney General

July 10, 1945

To Harrison C. Greenleaf, Commissioner of Institutional Service  
Re: Salaries of Institution Heads

Agreeably to my conversation with you yesterday relating to the salaries of the institution heads, I will say that I have made a study of the history of the establishment of the Department of Institutional Service, and find that in 1939, under the provisions of Section 5 of Chapter 223, the legislature provided as follows:

“The salary of the commissioner, the director and all other employees established under this act shall receive such compensation as shall be fixed by the governor and council.”

You will note that Section 5 of Chapter 223 of the Public Laws of 1939 is incorporated in Section 1 of Chapter 23, R. S. 1944; and Chapter 300 of the Public Laws of 1941 is also incorporated in Section 1, Chapter 23, R. S. 1944. Section 1 of said Chapter 23, R. S. 1944, provides as follows:

“Said commissioner shall have the power to appoint institution heads as shall be necessary for the proper performance of the duties of said department said appointments to be with the approval of the governor and council.”