

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1945-1946

MAINE STATE
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December 27, 1945

To J. J. Allen, Controller

I return herewith the documents attached to your memo of Nov. 21, 1945, inquiring with regard to the propriety of reimbursement by the State Highway Commission to the Town of Moscow for overdraft on State Aid construction during a previous year. In this particular case the overdraft was in 1941. I took the question up with the Highway Commission and was informed that the expenditure here concerned was made with the consent of the Commission in anticipation of this money's becoming available. See Chapter 20, §109. The State Aid was afterwards withheld because of the enactment at a special session of the legislature of Chapter 105 of the Laws of 1941, effective January 24, 1942. It is not quite clear to me that the State Highway Commission, notwithstanding this legislation, could not have paid the State Aid in the specific cases where they had authorized the towns to go ahead with the work; but anyway there is money now available and the State Highway Commission has approved the payment of this invoice, and I am of the opinion that it may properly be audited and paid now.

ABRAHAM BREITBARD
Deputy Attorney General

December 27, 1945

To David H. Stevens, State Assessor

Please be advised that no person, unless he is engaged in the business of *selling* cigarettes, either at wholesale or at retail, is required to be licensed under the cigarette tax law.

Thus, any group of persons who are members of or connected with or affiliated with any charitable or social organization and who want to distribute cigarettes to sick and disabled veterans at Togus or at any other institution, need not be licensed to do so, as they are not engaged in the selling of cigarettes, which is essential before they can be required to comply with the licensing law of this act.

ABRAHAM BREITBARD
Deputy Attorney General

January 16, 1946

To Hon. Harold I. Goss, Secretary of State

Re: Reciprocity to Non-Resident Vehicles and Operators

This department acknowledges receipt of your memorandum of January 11th asking for an opinion "on the question of whether a corporation organized in Maine operating motor vehicles in interstate traffic, these vehicles being registered in another state, are entitled to the benefits of the Maine reciprocity law in reference to the vehicles so operated."

This question has particular reference "to corporations engaged in interstate transportation by motor truck."