

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1947 - 1948**

deed if the business or occupation of keeping a hotel conducted through the use of a single building should be subjected to regulation while the same business or occupation conducted through the use of a group of buildings, such as a tourist camp, should be exempt from regulation. A tourist camp is none the less a hotel because the business or occupation is conducted through the use of a group of buildings rather than through the use of one."

I am therefore of the opinion that the above provisions of the statute quoted would be applicable to a sporting camp or a tourist camp.

ABRAHAM BREITBARD  
Deputy Attorney General

September 1, 1947

To Harland A. Ladd, Commissioner of Education  
Re: Legal Debt Limit of a Town

I have your memo of September 2d, stating that a question has arisen concerning the debt limit of towns. You state that in some instances there is considerable difference between the valuation of a town as determined by its local assessors and as determined by the State Tax Assessor, and you inquire: "Is the legal debt limit of a town (.05 of its valuation) based on local valuation or on State valuation?"

*Answer.* Article XXXIV, Amendments to the Constitution of Maine, provides:

"No city or town having less than forty thousand inhabitants, according to the last census taken by the United States, shall hereafter create any debt or liability, which single or in the aggregate, with previous debts or liabilities shall exceed five per centum of the last regular valuation of said city or town; . . ."

On a close reading of the Constitution, you will note the words that I have underlined, "the last regular valuation of said city or town," which would be that of April 1, 1947, by the local assessors of the town, rather than the last regular valuation determined by the State Tax Assessor.

RALPH W. FARRIS  
Attorney General

September 12, 1947

To W. E. Chase, Director, Division of Tobacco Tax

Your memo of September 12th received, relating to the amendment to the Unfair Sales Act, provided in Chapter 130, P. L. 1947. You call my attention to the fact that this statute defines the term "sub-jobber" as follows:

IX. "The term 'sub-jobber' shall mean and include a wholesaler who purchases cigarettes at wholesale for the purpose of resale to retail dealers,