

MAINE STATE LEGISLATURE

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STATE OF MAINE

R E P O R T

OF THE

ATTORNEY GENERAL

for the calendar years

1949 - 1950

Before the amendment of 1949, paragraph E of subsection I of Section 27 provided only 40 miles from the point in the forest area where the wood was cut, without mentioning highways, but the legislature saw fit to extend the 40-mile exemption to 60 miles on our highways. Therefore if it had intended to include those trucks doing interstate commerce business on our borders, it would have reduced the exemption to 20 or 30 miles rather than extending it to 60, as it did in paragraph I, relating to transportation of seed, feed, fertilizer and livestock.

I trust that this answers your question.

RALPH W. FARRIS
Attorney General

October 1, 1949

To Harold I. Goss, Secretary of State
Re: Itinerant Photographers—Chapter 434, P. L. 1949

In answer to your inquiry relating to the itinerant photographers law as provided in Chapter 434 of the Public Laws of 1949, I will advise that Section 3 defines an itinerant photographer to be "a person, partnership or corporation having no regularly established place of business in this state who personally or by agents or servants goes from town to town or from place to place within a town soliciting the making of photographic pictures or reproductions with a view to selling the same to the persons solicited; . . ."

In my opinion corporations are required to secure a license, if their agents or servants come within the definition of Chapter 434.

The next question is whether the servants or agents of a corporation that has been duly licensed under the provisions of this act shall be obliged to take out licenses to practice itinerant photography; and in answer to this question I will say that Section 3 of Chapter 434, subsection 99-B provides as follows:

"Any person who practices the profession of an itinerant photographer in this state, whether as principal, agent or servant, and whether engaged in soliciting or in one or more of the operations involved in the making of photographic pictures or reproductions, shall obtain a license as hereinafter provided, . . ."

Therefore it is my opinion that even though a corporation is licensed as an itinerant photographer, its servants and agents who personally go from town to town or from place to place within a town in the State of Maine, soliciting the making of photographic pictures or reproductions with a view to selling the same to the persons solicited come within the provisions of this act, and all engaged in this business, whether corporations or individuals, must secure a license as provided by the act.

RALPH W. FARRIS
Attorney General