

# MAINE STATE LEGISLATURE

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February 21, 1951

yes

To Honorable Frederick G. Payne, Governor of Maine

Re: Incompatibility

At the request of your office I have consulted the records of the decisions of this office with respect to incompatibility in the holding of office in more than one branch of the State Government and am of the opinion that in conformity with a long line of precedent it is incompatible for one person to occupy the office of State Senator and at the same time hold the office of member in the State Real Estate Commission.

A person apparently so holding is deemed to have vacated the former office at the time that he qualified for the latter office.

John S. S. Fessenden  
Deputy Attorney General

jssf/c