

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

June 8, 1953

To Honorable Burton M. Cross, Governor of Maine
Re: Harness Racing Commission — Membership

This office has been asked for an interpretation of Chapter 402, P. L. 1953, which Act amends Section 1, Chapter 77 of the Revised Statutes, to provide that:

“One member (of the State Harness Racing Commission) shall, in some capacity, be connected with agricultural societies which operate pari mutuel racing.”

Frederick A. Howell, presently a member of the State Harness Racing Commission, states that he is a member of the Androscoggin Agricultural Society and a member of the Cumberland Farmers Club, both of which associations operate pari mutuel harness racing meets.

The question is asked if Mr. Howell, as a member of the societies referred to above, has sufficient connection with an agricultural society operating pari mutuel racing, to qualify by virtue of such membership for re-appointment as a member of the Harness Racing Commission.

It is our opinion that Mr. Howell's membership in the agricultural societies mentioned above is sufficient to bring him within the phrase “in some capacity”, contained in Chapter 402, P. L. 1953.

We do not believe that the statute should be construed to require that a person, to be eligible for appointment to the Harness Racing commission, must be an officer in an agricultural society which operates pari mutuel racing, but rather we believe it would be sufficient if the person is an active member of such a society, and displays an interest in the welfare of the society.

It is our opinion, therefore, that Mr. Howell would be eligible under the 1953 amendment (assuming that he meets other requirements) to re-appointment.

ALEXANDER A. LaFLEUR
Attorney General

June 11, 1953

To Harold I. Goss, Secretary of State
Re: Movement of Used Cars. Rules and Regulations

You ask for opinions relative to the sixth paragraph of Section 35 of Chapter 19 of the Revised Statutes and Section 8 of Chapter 19 of the Revised Statutes.

Section 35 of the Revised Statutes deals with the inspection of motor vehicles and the stickers which are placed on the windshields of automobiles as the result of such inspection.

Herewith quoted is the sixth paragraph of Section 35:

“The secretary of state or authorized agent may issue a permit to owners of motor vehicles which are not inspected to enable them to