

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years
1951 - 1954

Section 5 of Chapter 69 reads as follows:

“Every registered optometrist shall annually, before the 1st day of April, pay to the board the sum of \$5. as a license renewal fee for each year; and in case of default in such payment by any person his certificate may be revoked by the board.”

In view of the fact that your Board has duly notified on two occasions those persons who are delinquent, it is our opinion that under the above quoted statute you have the discretion to revoke the certificates of such registered optometrists. You should keep complete records of the minutes of the meeting, at which a majority of your Board must be present, in revoking certificates.

We would at this time point out that the revocation of a license carries with it a more severe penalty than the suspension of a license. When a license is suspended for a time certain, it is automatically returned upon the expiration of the suspension period. With respect, however, to revocation, the general rule appears to be that one whose license is revoked loses all rights and must start anew, presumably with an examination.

JAMES GLYNN FROST
Deputy Attorney General

May 11, 1954

To Roland H. Cobb, Commissioner of Inland Fisheries and Game
Re: Sale of Land

This is in response to your memo relative to the letters of Hans M. Hansen, who desires to purchase a small portion of property owned by your department. You ask this office for the procedure to be followed in such sale.

Section 4-A of Chapter 33 of the Revised Statutes, as amended, reads:

“The governor and council on recommendation of the commissioner may sell and convey on behalf of the state the interests of the state in property taken or acquired by purchase under this chapter and deemed no longer necessary for the purposes hereof.”

Your first step should be to have one of your men survey, plot, and describe the area to be sold. Request should then be made to the Governor and Council to sell the land in question, and it is our opinion that such sale should be placed on bid. This office will draw the deed for the sale, incorporating the description to be supplied by your department. . .

JAMES GLYNN FROST
Deputy Attorney General

May 13, 1954

To Earle R. Hayes, Secretary, Maine State Retirement System
Re: Boothbay Harbor Memorial Library

This is in response to your request for an opinion as to whether the Boothbay Harbor Memorial Library could be covered under your agreement with the Town of Boothbay Harbor (Social Security) or should be covered by the Bureau of Internal Revenue as a non-profit organization.