

# MAINE STATE LEGISLATURE

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STATE OF MAINE



REPORT  
OF THE  
ATTORNEY GENERAL

for the calendar years  
1955 - 1956

June 22, 1956

To Sulo Tani, Director, Division of Research and Planning,  
Department of Development of Industry and Commerce

Re: Federal Aid

This opinion is submitted to you so that it may be enclosed with certain applications which you are about to submit to the Urban Renewal Administration of the Housing and Home Finance Agency.

The Department of Development of Industry and Commerce is empowered, through its Commissioner, to accept for the State any federal funds which may be apportioned under federal law in relation to urban planning and planned public works. See Section 2 of Chapter 471 of the Public Laws of 1955.

The Commissioner is further authorized by the same provision to do such acts as are necessary to carry out the purposes of such federal law, and it is under this provision, we feel, that the Commissioner is empowered to enter into a contract with the appropriate agency of the United States to carry out the purposes for which the grant or funds shall be apportioned.

The Department above referred to is created by Chapter 471 of the Public Laws of 1955, and that Department is broken down into various Divisions, one of which is the Division of Research and Planning. Its powers are set forth specifically in subparagraphs I through VIII of Section 4 of Chapter 471 of the Public Laws of 1955. It is under subparagraph VII, above referred to, that the Department, through its Division of Research and Planning, is empowered to provide planning assistance to municipalities and other groups therein specified.

Application form H-6702 at page 7 requests that the applicant submit two authenticated copies of the resolution, minutes of the meeting, or other documents authorizing the execution of the application.

This request cannot be complied with, in view of the fact that, in our opinion, the Commissioner alone, under the powers vested in him by Chapter 471 of the Public Laws of 1955, has the sole discretion as to the making of this application and no authorization from any other source is necessary.

ROGER A. PUTNAM  
Assistant Attorney General

June 29, 1956

To Doris St. Pierre, Secretary, Real Estate Commission

Re: Auctioneers

. . . You ask "whether or not auctioneers auctioning property for sale are included in the definition of a real estate broker defined in Sec. 2, Par. I of our Real Estate License Law; OR should the Law be amended to include these activities?"

At the outset it should be noted that a real estate broker is defined as follows:

"I. A 'real estate broker' is any person, firm, partnership, association or corporation who for a compensation or valuable consideration sells