

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1957 - 1958**

“Can a real estate broker licensed with a place of business in Solon advertise in Skowhegan and use a Post Office box number rather than a business address?”

We find no prohibition in the law against the practice above stated. On the contrary it appears to be a common business practice in all fields, including the real estate field, to advertise in places other than where you have a place of business and use post office box numbers in many cities and towns as the occasion arises.

ROGER A. PUTNAM  
Assistant Attorney General

May 24, 1957

To William D. Hayes, Chairman  
Maine Board of Accountancy

We acknowledge receipt of your letter of May 9, 1957, in which you recall to mind our conversation of some time ago relative to L. D. 644, now Chapter 203 of the Public Laws of 1957.

We affirm the opinion then expressed.

The legislature can, and sometimes does, legislate a person out of an office previously created by statute.

Section 1, Chapter 80, R. S. 1954, provides that the Board of Accountancy shall consist of 3 members, one of whom shall be a practising attorney. Chapter 203 amended Section 1 of Chapter 80, R. S., repealing that portion which relates to the attorney member, and would require that all members of the Board be skilled in the art of accountancy, shall have been actively engaged in the profession of public accountant, and be holders of certificates to practise as public accountants.

The amendment contains no provision showing legislative intent that the attorney, who upon the effective date of the amendment will be lacking the statutory qualifications required of one to be eligible to serve on the Board, should hold office until his term expires.

Under such circumstances we are of the opinion that on the date when Chapter 203 becomes effective as a law, then the term of office of the incumbent attorney members expires by operation of law.

JAMES GLYNN FROST  
Deputy Attorney General

June 7, 1957

To Honorable Robert B. Williamson, The Chief Justice

Re: “General Elections”

This is in response to your recent request for advice as to whether or not this office has in the past issued any opinions or given rulings with respect to the meaning of the words, “general election.” I understand that your specific inquiry is whether or not primary elections are considered general elections.

We would advise that we have no record of having ever given an opinion on this subject.