

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1957 - 1958

armed forces unless the individual involved is compelled to continue service under some mandatory provision.”

Under the general provisions of law regarding credits for retirement, persons who left the employ of the State for service in the Armed Forces of the United States have been granted credits toward retirement. The above quoted section of law was introduced to enact a definite termination point beyond which time services would not be given credit.

You ask our opinion as to whether or not those persons who are presently on so-called military leave shall have their credits toward retirement terminated as of the end of the enlistment or induction period which is in effect at the time the amendment to the law becomes operative, namely on August 28th, or should the termination of such credits be considered to be operative only at the end of the enlistment or induction period which starts subsequent to August 28th next.

It is our opinion that credits toward retirement shall terminate as of the end of the enlistment or induction period which is in effect at the time the amendment to the law becomes effective.

JAMES GLYNN FROST
Deputy Attorney General

August 19, 1957

To Doris St. Pierre, Secretary, Maine Real Estate Commission

Re: Fee for Change of Location

. . . You ask us to clarify a certain apparent contradiction appearing in the Real Estate Law.

Presently paragraph 8 of Section 7, Chapter 84 of the Revised Statutes, provides that if a licensed real estate broker gives notice in writing to the Commission of any change of principal business location, the commission shall issue a new license for the unexpired period without charge.

The paragraph preceding the above mentioned paragraph 8 of Section 7 was amended by Chapter 35 of the Public Laws of 1957 to provide that “a fee of \$2. shall be paid for a license for change of business location or branch office.”

Thus it appears that paragraphs 7 and 8 of Section 7 are in clear conflict, paragraph 7 providing that a fee of \$2. shall be paid for a license for change of business location, and paragraph 8 providing that a new license shall issue without charge on certain conditions.

It is our opinion that the latest enactment of the legislature, being Chapter 35 of the Public Laws of 1957, shall prevail and that a \$2. fee shall be due and payable for a change of business location by a licensed real estate broker.

JAMES GLYNN FROST
Deputy Attorney General