

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1957 - 1958

seem that this was an omission with the intention of giving the broadest meaning to the words, "on any way in this state."

RICHARD A. FOLEY
Assistant Attorney General

March 25, 1958

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

Re: Change of Designated Broker

You have requested an opinion on the following fact situation: Mr. S. holds a valid license as a real estate broker. A. Corporation has designated W. to hold the broker's license for the corporation. W. has now made an application for an individual license and A. Corporation wishes to designate S. as its representative to hold a broker's license.

Is it necessary for A. Corporation to procure a new license with S. as its designated broker?

Section 7 of Chapter 84 of the Revised Statutes of 1954 provides that a license granted to a corporation entitles the corporation to designate one of its members without any further payment of broker's fees to perform the acts of a real estate broker. It states:

"If, in any case, the person designated by a real estate broker shall be refused a license by the commission, or in case such person ceases to be connected with such real estate broker, said broker shall have the right to designate another person who shall make application as in the first instance."

Therefore it is my opinion that A. Corporation, if it wishes to designate Mr. W. as its new broker, will have to procure a new license.

GEORGE A. WATHEN
Assistant Attorney General

March 27, 1958

To Kermit S. Nickerson, Deputy Commissioner of Education

Re: Price of School Milk

This is in response to your memorandum of February 7, 1958, in which you ask the following question:

"Whether or not the minimum price paid to dealers in Maine for school milk comes under the jurisdiction of the Maine Milk Control Board?"

Answer: Yes. Prior to the 1957 Legislature it was the opinion of this office that because of the construction of the Maine Milk Control Law, school milk did not come under the jurisdiction of the Maine Milk Control Board. However, in 1957 Section 1, C. 33, R. S. 1954 (Definitions) was amended as follows: