

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1957 - 1958**

It is our opinion that Section 6 of the Act supplies the conductor to reach non-resident sellers and that an amendment using the term "non-resident" in the Act would not improve the enforcement, but would make it subject to constitutional litigation.

RALPH W. FARRIS  
Assistant Attorney General

July 16, 1958

To Raymond C. Mudge, Finance Commissioner

Re: Purchase of Automobiles by the Department of Education

At your request I have checked the opinions rendered by this office and I am unable to find any opinion concerning the purchase of vehicles for departmental use. Therefore, Section 43 of Chapter 15-A of the Revised Statutes of 1954 controls.

As stated by said section, the State does not provide automobiles for the travel of State employees, with certain exceptions. The Department of Education is not included in these specific exceptions, and to the best of my knowledge that department has not been designated by the Governor and Council to purchase automobiles.

GEORGE A. WATHEN  
Assistant Attorney General

July 16, 1958

To John J. Shea, Director, Probation and Parole

Re: Sentence for Crime Committed by Parolee

This is in response to your memo of June 25, 1958, in which you ask an opinion on Chapter 387, Section 16, Public Laws of 1957, seen on page 455:

"Section 16. Sentence for crime committed by paroled person. A parolee who commits an offense while on parole and is sentenced to a State penal or correctional institution shall serve the second sentence beginning on the date of termination of the first sentence, whether it is served or commuted."

*Question:* Can a parolee of the Men's Reformatory, who commits, while on parole, an offense for which he is sentenced to the Maine State Prison, serve time at the prison on the offense for which he was paroled prior to the beginning of the new prison sentence?

*Answer:* Yes, under conditions as outlined hereafter.

An examination of the history of this section offers little in the way of assistance in arriving at a decision.

The law first appeared in Chapter 60, Section 11, Public Laws of 1913, in the following form:

"Any prisoner committing a crime while at large upon parole or conditional release and being convicted and sentenced therefor shall serve the second sentence to commence from the date of the termination of the first sentence after the sentence is served or annulled."