

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**

**REPORT**

**OF THE**

**ATTORNEY GENERAL**

**for the calendar years**

**1959 - 1960**

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It is my opinion that prisoners released under the present law can have a parole duration of no longer than four years, and those released after the effective date of the new law are subject to the terms of the new law.

Chapter 10, section 21, R. S. 1954, reads in part:

“. . . The repeal of an act does not affect any punishment, penalty or forfeiture incurred before the repeal takes effect, or any suit, or proceeding pending at the time of the repeal, for an offense committed or for recovery of a penalty or forfeiture incurred under the act repealed.”

Chapter 312, P. L. 1959 does not apply retroactively.

GEORGE A. WATHEN  
Assistant Attorney General

July 6, 1959

To: Lloyd K. Allen, Manager of Maine Industrial Building Authority

Re: Custom Printing Plant

You have requested my opinion regarding the eligibility of a custom printing plant for mortgage insurance under Chapter 38-B.

As I have stated in previous opinions, one must have the detailed facts in determining whether or not the project would be considered an “Industrial Project” as defined by subsection III of Section 5, Chapter 38-B.

This is a service as well as a processing operation. In my opinion this may qualify, if they are processing or manufacturing a project as a primary purpose and not incidental to their service aspect. I hope this will be an aid to the Authority in arriving at the factual determination.

GEORGE A. WATHEN  
Assistant Attorney General

July 6, 1959

To: Kermit S. Nickerson, Deputy Commissioner of Education

Re: Payment of Subsidies in December, 1959

I have your request for an opinion on the following question:

Is the 1958 valuation, as determined by the Board of Equalization, proper to use in computing subsidy payments to be paid in December, 1959?

Answer: Yes. The payments made under the foundation program are based on the 1958 valuation. The amendment of paragraph two of Section 237-E indicates this by removing the words “and effective on September 1st”, and including the statement: “Such computation shall be subject to correction in accordance with the final statement filed by the Board of Equalization on December 1st”. It appears that a recomputation will be necessary for the December, 1959 payments.

GEORGE A. WATHEN  
Assistant Attorney General