

# MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT  
OF THE  
ATTORNEY GENERAL

for the calender years

1961 - 1962

in certain instances your wardens may be able to take a violator to a closer court than is now possible. We would like to emphasize, however, that the violator must still be taken to the district court for the district in which the violation occurs even though that court may not be the nearest court.

THOMAS W. TAVENNER

Assistant Attorney General

December 1, 1961

To: Governor John H. Reed

Re: Election Date of Primary Election and Voting on Educational Television Bond Issue

In answer to your questions:

“1. Can the Legislature legally establish the date of the Primary Election as the date for voting on the Educational Television Bond Issue?”

Answer: Yes. However, the wordage of the referendum section of the bill should conform to Section 14, Article IX of the Constitution, that is “. . . at a special election to be held on the 3rd Monday of June, 1962 . . .”

in place of

“. . . at the state-wide election to be held on the 3rd Monday of June . . .”

“2. If the answer to the first question is in the affirmative, should notification of the referendum question be contained in the warrant for the Primary Election, or should a separate warrant issue?”

Answer: A separate warrant should issue.

FRANK E. HANCOCK

Attorney General

December 6, 1961

To: Walter B. Steele, Jr., Executive Secretary, Maine Milk Commission

Re: Trading Stamps

We have your request of September 27, 1961, for an opinion with regard to the legality of the issuance of trading stamps on purchases including fluid milk. As we understand this problem, certain grocery stores doing business in Maine in areas designated by the Maine Milk Commission as natural marketing areas are offering coupons in the form of trading stamps with either the direct sale of fluid milk or cream or for a total purchase which purchase includes some milk or cream. We understand that you are requesting an opinion with regard only to sales for which the minimum legal price is the price set by the retailer. If the net price of the product after the discount has been deducted is still in excess of the legal minimum price, then the discount is, of course, perfectly legal. For this reason, we will limit our opinion to instances in which the net cost of the milk and cream to the purchaser is below the scheduled minimum retail price established by the Maine Milk Commission.