

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)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

May 29, 1953

Office memo.

Re: Advertising in THE MAINE TRAIL

I have examined Section 17 of Chapter 122 of the Revised Statutes of 1944. It seems to me the question raised is whether or not a person holding a place of trust in the State Highway Department is pecuniarily interested indirectly in the contract for space purchased in THE MAINE TRAIL.

Obviously, the penalty provision does not apply, since there are no gratuities, etc. The question remaining is, "Is the contract void?" Since State officials receive no money from THE MAINE TRAIL, I have difficulty in seeing how they can be pecuniarily interested.

This section was enacted to prevent cut-backs and other secret pocket-lining. The connection of the members of the Highway Department with this magazine and the Association is solely for the purpose of carrying out the provisions of law in regard to the improvement of the State highway system. In no way do the individual members obtain any money benefit. The space utilized in the magazine is the cheapest and most efficacious method of maintaining public relations between the Department and the citizens who are interested in the road problems. It would definitely be proper for the Department to maintain a bulletin to achieve the same purpose that is achieved by obtaining space in this magazine.

I am somewhat at a loss to understand why such a complaint could arise.

L. Smith Dunnack
Assistant Attorney General

LSD:w