

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1957 - 1958

cannot be presumed that this aid should be given at the expense of the condition and usability of the highways.

L. SMITH DUNNACK
Assistant Attorney General

November 5, 1957

To Richard E. Reed, Executive Secretary, Maine Sardine Council

Re: Contract with Massachusetts Institute of Technology

We are returning herewith a copy of agreement from the Massachusetts Institute of Technology executed by your Council and the Institute. The agreement was referred to this office by the Bureau of Accounts and Control for our approval.

There are two points relating to the contract with which we are concerned and which prevent us from approving the contract.

We note that the contract, when considered in conjunction with other correspondence with the Institute, contemplates that 17½% of the contract price involves work to be done by the Institute for the William Underwood Company. The contract as a whole contemplates research and study on sardines, primarily for an analysis of the packed food for protein, fat, carbohydrates, minerals, etc. A portion of the work, approximately 17½%, includes study of William Underwood's fried sardines and the free liquid packing medium.

We gather from your letter to Mr. F. L. Foster, dated May 14, 1957, that the results of the study of the Underwood sardines would be forwarded to your office in a sealed envelope, which envelope would be immediately forwarded to Underwood, unopened.

While apparently the results of the study on the whole will be made available to Maine industry and State agencies of the State of Maine, the work to be done on the Underwood product will not be made available, but will be sent unopened to the Underwood Company.

We do not conceive it to be the function of a State agency to advance the cause of a single private industry. For that reason we do not approve the contract.

We also point out that under the provisions of Chapter 16, Section 267-II-B, the one paragraph in our opinion which would permit such research project, such project is to be under the joint direction of the Commissioner of Sea and Shore Fisheries and the Maine Sardine Tax Committee. Such statutory requirement compels us to the conclusion that the contract should be approved by the Commissioner of Sea and Shore Fisheries. The contract is not so approved and therefore that is a second reason why we have not approved it.

JAMES GLYNN FROST
Deputy Attorney General

November 6, 1957

To Paul A. MacDonald, Deputy Secretary of State

Re: Transit Plates

We have your memo of October 18, 1957, stating that a dealer in heavy machinery, who is an authorized holder of transit plates issued under the pro-