

# MAINE STATE LEGISLATURE

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July 25, 1968

Allen G. Pease,  
Administrative Assistant  
James S. Erwin

Executive  
Attorney General

Re: Fish and Game Advisory Council

This is in reply to your Memorandum of July 19.

You have asked whether an employee of a shipyard, operated by the Federal Government, may qualify to serve as a member of the Fish and Game Advisory Council.

We answer in the affirmative.

By 12 M.R.S.A. § 1955, members of this Advisory Council shall receive no compensation. Their office is, therefore, not an "office of profit" under Article IV, Part Third, Section 11 of the Maine Constitution. (Opinion of Atty. Gen. Feb. 25, 1963.)

There is no law of this State which would disqualify Federal employees from holding local offices such as selectman (Opinion, Atty. Gen. March 29, 1924) or juror (December 27, 1934). There is also no State law disqualifying a Federal employee from holding a State office which is not an "office of profit."

The conclusion, therefore, is that the employee concerned may qualify to serve on subject Advisory Board.

J.S.E.

JSE:m