

MAINE STATE LEGISLATURE

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February 3, 1970

Gwilym R. Roberts
12 Knowlton Avenue
Farmington, Maine

Dear Mr. Roberts:

This will acknowledge receipt of your letter of February 2 in which you ask the following question:

"Is there anything in the Constitution or laws of Maine which would make an employee of the University of Maine (at Farmington State College, for instance) ineligible for the office of County Commissioner?"

I have checked the records of this office relative to opinions on incompatibility and do not find that we have ever been called upon to rule on the incompatibility of an employee of the University of Maine being a County Commissioner. I am sure there is no constitutional prohibition.

The only statutory prohibition is contained in 30 M.R.S.A. § 51 which provides that a County Commissioner cannot be a mayor or assessor of a city, or a selectman or assessor of a town.

In viewing the two positions under the common law, I can see no apparent conflict between the two positions. I cannot see where the holding of one position would conflict with the holding of the other position.

Very truly yours,

George C. West
Deputy Attorney General

GCW:H