

MAINE STATE LEGISLATURE

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File

December 10, 1971

Mr. Leon E. Roehrig
Chairman, Board of Selectmen
Upper Main Street
Lisbon Falls, Maine 04252

Dear Mr. Roehrig:

This will acknowledge receipt of your letter dated December 5, 1971 regarding a conflict of interest in relation to a Water Commissioner working for the Water Department.

Although this Office cannot give legal opinions to municipalities, we usually do make an effort to answer questions relating to incompatibility or conflicts of interest. However in this particular case, I am not certain that this Office can do this.

I assume that the Water District, or Department, operates under a charter. We do not interpret provisions of charters of districts.

As to the person employed in the School Department as a custodian and bus driver holding the office of Selectman and Assessor, I can see no incompatibility. It would be my understanding that this individual would be hired and have his salary determined by the School Committee. The appropriation by the town to the School Committee is made by the people at a town meeting.

There would appear to be no control by the selectmen of a School Department employee. I cannot conceive of any incompatibility in this area.

Very truly yours,

GEORGE C. WEST
Deputy Attorney General