

# MAINE STATE LEGISLATURE

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*replied*  
December 31, 1975

Joseph Hochadel

Executive

Donald G. Alexander, Assistant

Attorney General

Conflict of Interest Public Member of Licensing Boards

Your memo of November 14, 1975, poses both a general and specific question in regard to conflicts of interest. Without knowing the extent of the "business relationship" stated in paragraph 3 of your memorandum, it is not possible to answer with any specificity. However, the following observations regarding conflicts of interest are offered.

(1) The problem you pose does not appear to involve a situation which has a potential for a person being in a situation to regulate himself or his competitors.

(2) A member of a public board such as you describe may disqualify himself from acting in cases involving persons with whom he has a business relationship without generally disqualifying himself from serving on the board or disabling the board from considering applications of persons with whom an individual member has a business interest.

(3) If the potential appointee anticipates having to disqualify himself frequently because of business relationships with persons appearing before the board, you may wish to consider whether the appointment would contribute to or detract from the general effectiveness of the board if continuing disqualification in individual cases appears to be a realistic prospect.

DONALD G. ALEXANDER  
Assistant Attorney General

DGA/ec