

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 853

S. P. 291

In Senate, February 3, 1965

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

EDWIN H. PERT, Secretary

Presented by Senator Stern of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Relating to Conflicts of Interest in Municipal and Quasi-Municipal Contracts.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 17, § 3104, amended. Section 3104 of Title 17 of the Revised Statutes is amended by adding at the end a new paragraph to read as follows:

'In the absence of actual fraud, no officer of a quasi-municipal corporation shall be deemed to be pecuniarily interested directly or indirectly in any contracts made in behalf of the quasi-municipal corporation of which he is an officer merely because he is an officer, employee or stockholder of a private corporation contracting with the quasi-municipal corporation, unless such officer of a quasi-municipal corporation is directly or indirectly a controlling stockholder of the private corporation.'

Sec. 2. R. S., T. 30, § 2251, sub-§ 2, amended. Subsection 2 of section 2251 of Title 30 of the Revised Statutes is amended to read as follows:

'2. Contracts. A contract, other than a contract obtained through properly advertised bid procedures, made by a ~~city~~ **municipality** during the term of a ~~city~~ **municipal** official who has a direct or an indirect pecuniary interest in it is void.'

Sec. 3. R. S., T. 30, § 2251, sub-§ 4, additional. Section 2251 of Title 30 of the Revised Statutes is amended by adding a new subsection 4 to read as follows:

'4. Absence of actual fraud. In the absence of actual fraud, no municipal official shall be deemed to have a direct or indirect pecuniary interest in a

question or in a contract merely because he is an officer, employee or stockholder of a private corporation to which the question relates or with which the municipality contracts, unless the municipal official is directly or indirectly a controlling stockholder of the private corporation.'