

MAINE STATE LEGISLATURE

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April 21, 1916

To Hon. Payson Smith, State Superintendent of Schools
Re: Formation of School Union

I am in receipt of a letter addressed to you, asking for opinion as to whether or not the forming of a school union by the town of Eagle Lake with Winterville Plantation was legal under Article 14 of the town warrant of 1916 of the town of Eagle Lake, which reads as follows:

"To see if the town will vote to authorize its superintending school committee to join with Wallagrass and Winterville and such other towns as it may deem expedient for the purpose of employing a superintendent of schools."

I note from the letter that the town voted to join under the provisions of the above Article and that later the plantation of Wallagrass refused to join, having joined with the town of Fort Kent.

It is my opinion that there is no valid union between the town of Eagle Lake and Winterville Plantation. The vote of the town in my opinion was mandatory upon the superintending school committee of having a union in which the plantations of Wallagrass and Winterville were included. They could, however, include as many other towns and plantations in the union as they deemed advisable under the Article, but these two plantations were specifically mentioned.

I should think it would be necessary in order to make this a valid union to have a special town meeting authorizing this union as now formed or to ratify the act of the superintending school committee in forming it.

Oscar H. Dunbar
Assistant Attorney General