

MAINE STATE LEGISLATURE

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February 9, 1951

Mo

To H. A. Ladd, Commissioner of Education
Re: Opportunity Farm School

In your memorandum of February 9, 1951, you inquire as to whether the provisions of the charter of the Opportunity Farm Association constitute a mandate that Opportunity Farm must maintain an approved school or otherwise provide for the education of the children who live at the institution by way of a contract or tuition agreement with a municipality.

The relationship between the Opportunity Farm, located at New Gloucester and the municipal government of New Gloucester, is of such a local nature that the Attorney General should not express an official opinion to the extent that it reflects an attempt to adjudicate matters which are not within the scope of the duties of this office.

The general principle with respect to the purposes of corporations is simply that the purposes state that which the corporation is authorized to do but are not a requirement as to anything that the corporation is bound to do.

I have read the original certificate of incorporation of the Opportunity Farm Association and I can see nothing in the statement of purposes constituting a mandate but read the purposes as merely an authorization to undertake to perform that which the purposes state.

John S. S. Fessenden
Deputy Attorney General

jssf/c