

# MAINE STATE LEGISLATURE

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February 7, 1955

To William G. Bailey, Deputy Commissioner of Education  
Re: Subsidy Paid East Corinth Academy for Vocational Courses

We have your memo re the above captioned subsidy, which reads as follows:

"This Department paid to East Corinth Academy, on October 12, 1954, subsidy for the school year 1953-54.

"The eligibility of the town and East Corinth Academy to have a board in addition to a contract was determined by the financial report of the Academy for the Academy's preceding fiscal year, which ended on June 30, 1953.

"Chapter 397, PL 1951 was specifically stated to be effective July 1, 1953.

"Since the Academy's fiscal year was completed before the effective date of the Act, we ask whether the joint board of the town and academy (which was to be allowable, except for this section) would not be a valid board."

It would appear from the above that the Town of East Corinth and East Corinth Academy had a joint board by mutual consent, without first attaining the condition contained in Section 96, where the amount to be paid under the contract between the town and the academy should equal or exceed the income of the academy for the preceding year exclusive of sums paid said academy by the contracting town.

In an opinion written some years ago this office advised that a joint board was permissive. Of course, this opinion has now been changed by virtue of Chapter 397 of the Public Laws of 1951. However, as the effective date of Chapter 397 was July 1, 1953, we are of the opinion that it is proper for the Department of Education to pay subsidies for vocational courses to East Corinth Academy where there was a joint board existing permissively during the year 1953, prior to the effective date of the Act.

James Glynn Frost  
Deputy Attorney General

jgf/c