

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

February 8, 1965

L. H. Stanley, Director

Civil Defense & Public Safety

Leon V. Walker, Jr., Assistant

Attorney General

Joint Exercise of Civil Defense Powers

FACTS:

Substantial savings and marked increase in efficiency may be expected by some mergers of civil defense functions by the following political subdivisions:

Town and Town
Town and County
County and County

QUESTION:

Do the provisions of R.S. 1954, ch. 90-A, § 8-B (now R.S., Title 30, chapter 203) enable towns and counties to consolidate their civil defense departments and functions to attain improved capability and promote fiscal economies?

ANSWER:

See Opinion.

OPINION:

R.S., Title 30, § 1952, defines "public agency" to mean any political subdivision of the State. § 1953 provides that any powers, privileges or authority capable of exercise by a public agency of the State may be exercised jointly with any other public agency of the State, and that any two or more agencies may enter into agreement for joint or cooperative action, such agreements to specify the precise organization, composition and nature of any separate legal or administrative entity created thereby, together with the powers delegated thereto.

The apparent intent of these statutory provisions is to enable public agencies, such as towns and counties, to consolidate their civil defense departments, at least to the extent that any agreement entered into does not exceed the authority of any of the signatory agencies.

Leon V. Walker, Jr.
Assistant Attorney General

LVWjr:H