

MAINE STATE LEGISLATURE

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January 28, 1941

To Honorable Sumner Sewall, Governor of Maine
Re: Council Orders - Dates of Effect and Expiration

In response to your request for a formal opinion on the effect of Chapter 318 of the Laws of 1939, passed at the special session held in October, 1940, I submit the following:

This act was approved October 23, 1940, and under the constitution cannot take effect for ninety days thereafter, not being passed as an emergency act. Nevertheless, it certainly was intended to apply to orders issued during 1939 and 1940, and also to orders issued previous to 1939. The legislature certainly did not intend that the act shall apply only to orders to be passed subsequent to January 21, 1941.

Such being the case, any orders passed previous to January 2, 1941, the date of your inaugural, must of necessity expire at the effective date of the act itself, while orders passed by you and your council between January 2 and January 21, both dates inclusive, will not expire until January 6, 1943, at which time all executive orders not specially excepted will expire.

Frank I. Cowan
Attorney General