

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1941--1942

From:
Frank I. Cowan, Attorney General

October 15, 1941

To:
Marie J. Tibbetts, State Library

I have your query as to whether or not a member of the Executive Council is a State officer under the provisions of Chapter 4, Section 18 of the Revised Statutes.

In my opinion, he is such an officer.

As such, each incumbent in the office is entitled to a copy of the Revised Statutes, Session Laws, etc. issued during his incumbency in office, and such volumes so issued, since they remain the property of the State of Maine, are to be turned over to the successor in office.

Attorney General
October 16, 1941

From:
Frank I. Cowan, Attorney General

To:
Henry P. Weaver, Chief, State Police

I have your memo of October 16th asking for a ruling in regard to Chapter 72 and Chapter 205 of the Public Laws of 1941.

Both of these acts are amendatory of Public Laws of 1939, Chapter 169.

Chapter 72 of the Laws of 1941 amends said Chapter 169 of the Laws of 1939 by striking out the words, "May" and "November" and inserting in their places the words, "April" and "October". This act was approved March 14, 1941.

Chapter 205 of the Laws of 1941 amends Chapter 169 of the Laws of 1939 by inserting between the second and third sentences of the second paragraph of Section 1 of Chapter 169 three new sentences. It further amends Section 1 by inserting an additional sentence between the third and fourth paragraphs of said section.

There are amendments to Section 2 of said Chapter 169, but those are not material in the present discussion. Said Chapter 205 was approved April 11, 1941.

Both acts took effect on the same day, to wit—July 26, 1941 by the provisions of Article XXXI of the Constitution of the State of Maine, adopted by the people, September 14, 1908, and proclaimed by the Governor to be a part of the Constitution on September 30, 1908, and which took effect on the 13th of January, 1909.

Both the said acts were introduced into the legislature in due course. Instead of combining them, the legislature saw fit to pass them individually. Inasmuch as Chapter 72 had not become the law, the amendments which appear in Chapter 205 were properly added to the original wording of Public Laws of 1939, Chapter 169. If the legislature had seen fit to combine the two bills, there would