

MAINE STATE LEGISLATURE

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April 24, 1942

William B. Mitchell, Sec'y
Business Men's Association, Inc.
Old Orchard Beach, Maine

Dear Sir:

I have your letter of April 8th in regard to daylight saving time.

Under the limitations of R. S. Chapter 91, Section 82, the Attorney General is not permitted to give official opinions except to the State or State Departments. I cannot, therefore, give you an official opinion on this matter and must leave it to your private attorneys.

Unofficially, I can say that "war time", so-called, does not exist in Maine. That expression is a very happy one suggested by the President to assist those States whose Legislatures were not in session at the time when Congress passed the new standard time act. Such States had to go through the bunglesome process of adopting a daylight saving time rule by Executive Order, the result being one of very dubious legality. In Maine our Legislature happened to be in session and picked up the Federal act and adopted a new standard time law for Maine so that standard time in Maine is the same as standard time set by act of Congress.

There is no restriction in our law on any individual, group or municipality, or on the State itself, setting clocks in any fashion desired. Eastern standard time is the official time and courts have to function on that time. Contracts operate in accordance with that time unless there is something expressly stated to the contrary in the contract itself.

William B. Mitchell, Sec'y

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April 24, 1942

If any or all the people of Old Orchard Beach or any other municipalities in the State want to set their clocks at any time different from Eastern standard time, they are at perfect liberty to do so. They can set their clocks ahead an hour or set them back an hour and adopt any other system of time they see fit. The one thing they can't do is change legal time which is the Eastern standard time set by Congress and adopted as such by our Legislature.

Very truly yours,

S/ Frank I. Cowan
Frank I. Cowan
Attorney General

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