

MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT

OF THE

ATTORNEY GENERAL

for the calendar years

1941--1942

To:
Governor Sewall

November 18, 1942

From:
The Attorney General

Wage and Salary Adjustment Federal Statute

1. The State of Maine must reject the suggestion contained in the regulation issued by Mr. Byrnes, the director under the Wage and Salary Adjustment Act, that States are subject to this particular law.

2. The State of Maine recognizes that officials in Washington are conscientiously endeavoring to carry the war through to a successful conclusion and at the same time prevent, in so far as they can, any unnecessary disruption of economic conditions surrounding our civilian population.

3. It is the desire of the State of Maine to cooperate with the men who are handling the nation-wide problems, and, even when we disagree with them in regard to certain internal matters, we will travel with them if no fundamental rules are being upset and no precedents set that will cause danger to our democratic form of government.

4. I see no objection to our certifying to the National War Labor Board any adjustment in salaries as made among State employees, provided the certificate expressly recites that the State does not accept the theory of authority in the Board so far as the State is concerned, and that the certificate is being filed simply for the convenience of the Board.

FRANK I. COWAN
Attorney General

From:
Frank A. Farrington, Deputy Attorney General

December 4, 1942

To:
Earle R. Hayes, Secretary
Employees' Retirement System

You ask for an opinion as to whether an employee retired under the provisions of the old Retirement Law of the Governor and Council and who was at the time of retirement also a member of the New Retirement System, may, upon such retirement, be refunded the amount he has contributed to the new System by the processes of payroll deductions, or otherwise.

Reference to Section 227-H of Chapter 328, Public Laws of 1941, indicates that contributions shall be paid to a member who ceases to be an employee except by death or by retirement under the provisions of Sections 227-A to 227-T.