

MAINE STATE LEGISLATURE

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March 11, 1943

Hon. Ralph W. Farris
Senate Chamber - State House
Augusta, Maine

My dear Senator:

I have been giving careful study to L.D. No. 656, AN ACT Penalizing Certain Activities Relating to Rationed Commodities in Time of War, and I have had considerable further discussion with the Governor, with Mr. Richardson and with members of the Council. The position of the Governor is, as I stated it to you last night, that he is neither for nor against the bill but does desire the studied opinion of the Judiciary Committee.

It seems to me that the document in its present form (which is greatly at variance from the original document submitted to me) is well drawn, and if the Legislature were to see fit to put this into the statute books I believe that it would very considerably simplify the problem of the Governor and the Attorney General in handling this rationing problem. As I told you last night, I have no objection to the bill itself and that my personal reluctance to approve it was based on the fact that the lawyers of the State have been very fine in their cooperation in enforcing Executive Orders under the Civilian Defense Act and I was fearful lest some of them might feel they cannot go along with this new Act if you adopt it.

However, as I consider the matter further, it is very possible that the lawyers may be willing to consider No. 656 in the same light as they do the Civilian Defense Act and, in view of the emergency in which we find ourselves due to the War, they may show the same willingness to go along as they have for the last year with the existing law. It may be that I have been unnecessarily cautious.

I suggest that if you see fit to pass L.D. No. 656 you insert a sentence before the "Duration of act" paragraph

Hon. Ralph W. Farris
March 11, 1943 - Page 2

somewhat as follows: "Nothing in this act shall be held to limit, abridge or restrict the powers conferred upon the Governor by Chapter 305 of the Public Laws of 1941, approved January 21, 1942."

Please understand that I am not in any way suggesting what your Committee or the Legislature should do. If you see fit to pass this bill, especially with an amendment such as I have suggested, no harm can be done by reason of its passage, and it is very possible that we may find that it assists us in administration. Certainly with the Legislature in session and this rationing emergency existing, any study of the subject and any action the Legislature takes is bound to be of real assistance to the Executive.

Very respectfully yours,

Frank I. Cowan
Attorney General

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N.B.—This letter does not necessarily indicate a wavering attitude on my part. It is rather a progress of conclusion which is the result of further study and consideration of the subject.

F. I. C.