

MAINE STATE LEGISLATURE

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June 22, 1945

Hon. Robert N. Haskell
Bangor, Maine

Dear Mr. Haskell,

I received your letter of June 10th stating that the Research Committee would appreciate a memorandum from me, indicating whether or not a Legislative Order has the legal effect of superseding a statute relating to wages to legislative employees.

In reply I wish to state that legislative employees' salaries fixed by statute can be increased by joint order of the Legislature; but it is only a temporary expedient and does not have the binding force of law and does not change the statutory provisions. It merely enlarges a statutory provision, which is within the legislative prerogative.

The Legislature is the superior power in the State which is a law-making power; and it has the right to pass acts, resolutions and orders modifying said acts, at its own pleasure. It is my opinion that any order providing for a salary in excess of the established statutory salary for employees of the Legislature at the last session is valid.

Very truly yours,

Ralph W. Farris
Attorney General

RWF:c