

MAINE STATE LEGISLATURE

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January 27, 1947

To Hon. Horace Hildreth, Governor of Maine

Re: Memo from John W. Moran, Executive Secretary, dated January 22nd, to yourself, re Official End of War

As a result of a conference with General Philoon, your Administrative Assistant, Friday afternoon, and a memo from Fred W. Rowell, Director of Veterans' Affairs, I will say that in my opinion, any proclamation by the Governor or Joint Resolution of the Legislature declaring the official end of the provisions of Chapter 305 of the Public Laws of 1941, known as the Civilian Defense Act, will not materially affect any Executive Orders now outstanding under the provisions of this Act.

Under Section 13 of said act, it remained in force until six months after the state of war ceases between the United States and every foreign government, or until such time as the legislature by concurrent resolution or the Governor by proclamation may designate. However, if the provisions of this act should be suspended by proclamation or resolution of the legislature, it would affect Council Order No. 240, passed September 6, 1945, creating the office of Director of Veterans' Affairs and re-directing the activities of this department, under the provisions of the Civilian Defense Act of 1941, as the statement of facts in said Council Order bases the action in said order on the provisions of Chapter 305, P. L. 1941. The order authorizing the creation of the office and re-directing the affairs of the department is based on that statute. If that statute is repealed, the office will have no standing and will have to be transferred back to the Department of Health and Welfare, together with the appropriation account, No. 4610.

I talked this over with General Philoon and suggested that in order to save the office of Director of Veterans' Affairs, it might be well to have the act terminated by Joint Resolution of the Legislature, and in the same resolution that terminates the Civilian Defense Act, you could re-create the office of Director of Veterans' Affairs for a certain period, until the legislature by act makes the office permanent.

Ralph W. Farris
Attorney General

RWF:c