

MAINE STATE LEGISLATURE

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C O P Y

*Not Printed
as not
Official Opinion.*

July 12, 1955

Dear Sheriff :

Because of questions and confusion that have arisen in regard to the effect of the Daylight Saving Law passed by the last session of the Legislature, it has been suggested that I write to each of the Sheriffs setting forth the effect of the new law. This I am happy to do informally for whatever convenience it may be to you.

Section 4 of Chapter 1 of R. S. 1954 reads as follows:

"Standard time.-Within this state the standard time shall be that which is known and designated by the federal statute as 'United States Eastern Standard Time',"

Prior to the special session of the Legislature in September of 1954 this was the only statute on the books in regard to time. Daylight Saving Time was adopted by local option and was never legally recognized as the standard time of the State. This led to such situations as Courts starting at ten o'clock standard time, when actually, it was eleven o'clock Daylight Time. You will also remember that all official clocks were kept on Standard Time during that period of the year that we were actually on Daylight Saving Time. In September 1954 the special session of the Legislature enacted a Daylight Saving Law for the month of October 1954. During that month Daylight Saving Time was the only legal time in the State of Maine. At the regular session in 1955, the Legislature enacted what is now Chapter 403 of the Public Laws of 1955.

I enclose a newspaper clipping of the new law and you will note at the bottom that this was emergency legislation which took effect on May 20, 1955. You will note from the clipping that the above cited section 4 of chapter 1 of R. S. 1954 is the section amended by section 1 of the new law. Section 2 of the new law provides a specific exemption with respect to the sale of liquor. Because of the specific enactment of the amendment contained in section 2 of the new law, Eastern Standard Time is the legal time for the sale of liquor. It is not now the legal time for anything else in the State.

The effect of the new law is that Daylight Saving Time is now the legal time of the State of Maine. Courts which are scheduled to start at ten o'clock will now start at ten o'clock Daylight Saving Time. Likewise, each day ends at twelve o'clock midnight Daylight Saving Time. Also in the service of process where time is an element of the service or where it enters into the return on the service of the process, the time noted should be Daylight Saving Time.

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I do not know that the new statute can be explained any better than in its own language,

" . . . that between the last Sunday of April at 2 o'clock ante-meridian and the last Sunday in October at 2 o'clock ante-meridian in each year the standard time in this State shall be one hour in advance of the United States Eastern Standard Time and said time shall be known as 'Eastern Daylight Time.' "

In other words during that period of time, with the exception of the sale of liquor, Eastern Daylight Time is the only legal time for the State of Maine.

I hope that the foregoing may be of some service to you should the questions which have arisen in other places in Maine arise in your jurisdiction.

With best personal regards, I am

Very truly yours,

Frank F. Harding
Attorney General

FFH:P