

# MAINE STATE LEGISLATURE

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March 12, 1962

Charles Caldwell, Jr., Asst.Dir.

Civil Defense & Public Safety

Wayne B. Hollingsworth, Assistant

Attorney General

Establishment of Local Civil Defense Organizations

We are in receipt of your memo in which you ask for the legal basis for both state and local Civil Defense organizations within the State of Maine. We call your attention to Chapter 12, sections 4 and 9, the pertinent parts of which are hereby quoted:

"Sec. 4. Whenever it is deemed advisable by the Governor, there shall be created within the executive branch of the state government a department of Civil Defense and Public Safety as heretofore established and hereinafter in this chapter called the 'Civil Defense and Public Safety Agency,' and a director of Civil Defense and Public Safety, hereinafter in this chapter called the 'Director,' who shall be the head thereof . . . ."

"Sec. 9. Each political subdivision of this state is authorized to establish and shall establish a local organization for Civil Defense and Public Safety in accordance with the State Civil Defense and Public Safety plan and program . . . . " (Emphasis added)

It appears to us that the portions of the above-quoted sections in chapter 12 clearly establish the legal basis for the establishment of state and local Civil Defense organizations.

Wayne B. Hollingsworth  
Assistant Attorney General

WBH:H