

Hon. Theodore R. McKeldin, Mayor of Baltimore (continued)

which the Office of Price Administration may from time to time establish after the passage of the ordinance, but those in effect on the date of its passage. This, however, is apparently not what the draft intends, for the very practical reason that to do so would result in having a fixed schedule of maximum prices under the ordinance which would remain at the level in effect under Office of Price Administration regulations on the date the ordinance is passed, whereas, concurrently, the Office of Price Administration would be enforcing a different schedule - one that had been modified from time to time by the Office of Price Administration after the passage of the City ordinance. This would result in hopeless confusion, and a person might find himself in violation of one schedule though he had strictly conformed to the other. The only alternative would then be for the City Council to attempt to assimilate its schedule in point of time to that of the Office of Price Administration by repeated amendments of the ordinance. This, too, would introduce practical difficulties so clearly obvious that they need not be elaborated.

But, altogether apart from the particular form of the proposed ordinance, I reach my conclusion that such legislation would be invalid on the general ~~principle of the law that has been committed to the Mayor and~~ City Council of Baltimore and is beyond its legislative powers.

Very truly yours,

(Signed) SIMON E. SOBLOFF,  
City Solicitor

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