

MAINE STATE LEGISLATURE

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April 6, 1938

Mr. George W. Leadbetter
Commissioner
Department of Health and Welfare
Augusta, Maine

Dear Mr. Leadbetter:

In writing you under date of March 22, in answer to an inquiry by Mr. Alspach Regional Representative Social Security Board, I interpreted his inquiry to refer to the making of a rule and regulation by the Social Security Board requiring witnesses to the indorsement of the signature made by mark on a check given to a blind pensioner.

You now ask me whether your department has authority to make such a regulation. In my opinion you have no such authority. There is nothing in any of the acts under which you operate that gives you such authority, and I believe that in the absence of any such statutory authority you would be making an unnecessary and unreasonable and burdensome regulation which could not be justified if you required any such requirement for cashing a blind pensioner's check.

Very truly yours,

Franz U. Burkett
Attorney General