

# MAINE STATE LEGISLATURE

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STATE OF MAINE

REPORT  
OF THE  
ATTORNEY GENERAL

for the calender years

1961 - 1962

depositors are required to subscribe to, that 'no money shall be paid to any person without the production of the original book that such payment may be entered therein'."

In the absence of statutes requiring individual passbooks for savings accounts in which each and every transaction is recorded, their issuance is a matter of bank by-laws. Being a matter determined by the by-laws of each bank it follows that a bank may amend its by-laws to provide for the type of statement or passbook suggested for use in the payroll savings plan. Sections 19-D, II, D and 19-E, II, H, provide the methods for amending by-laws.

GEORGE C. WEST

Deputy Attorney General

March 13, 1962

To: Public Utilities Commission

Re: Limestone Electric Company

*Attention: Vernon C. Morrison, Engineer*

You have asked this office if the town of Limestone may purchase the Limestone Electric Company and provide the service now provided by the Electric Company to towns other than Limestone.

The town of Limestone may not purchase the Limestone Electric Co. without specific authorization from the legislature.

There is no provision in the present charter of the town of Limestone nor in the general law of municipalities that authorizes such an act by a town. Therefore, it is necessary to have a special act of the legislature.

GEORGE C. WEST

Deputy Attorney General

March 14, 1962

To: Henry L. Cranshaw, Controller, Accounts and Control

Re: Deduction of Union Dues

We have your request for an opinion as to whether or not a State employee can authorize your office to deduct Union dues with a request that you forward these dues to his Union officials.

The Governor of the State of Maine is the supreme executive power of the State (Constitution of Maine, Article V, Part First). "Everything pertaining to the executive department of the state is at all times pending before the Governor in his official capacity." *State v. Simon*, 149 Me. 256. The executive council functions to aid the Governor in ordering and directing the affairs of state according to law. (Constitution of Maine, Article V, Part Second, Section 1.) For this reason your office may not unilaterally adopt a policy of permitting the above deductions even when authorized by the individual employee. The decision to grant this authority must rest with the head of the executive department, that is, the Governor and Council.