

# MAINE STATE LEGISLATURE

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SPECIAL SESSION

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E I G H T Y - E I G H T H   L E G I S L A T U R E

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**Legislative Document**

**No. 1090**

H. P. 1922

House of Representatives, October 27, 1937.

Referred to Committee on Judiciary and 500 copies ordered printed.

Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Flanders of Auburn.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-SEVEN

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**AN ACT Relating to Aid to Dependent Children.**

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Be it enacted by the People of the State of Maine, as follows:

**P. L., 1933, c. 1, additional.** Chapter 1 of the public laws of 1933 is hereby amended by adding thereto the following new sections to be numbered 240-A, 240-B, and 240-C, and to read as follows:

**Sec. 240-A. To be administered by department of health and welfare.** The department of health and welfare shall administer all funds appropriated for the purposes of this act. It shall make such rules and regulations with respect to the administration of this act as it deems advisable. It may grant prompt and suitable temporary aid to any dependent child when in its opinion such aid is immediately necessary. Any moneys heretofore or hereafter appropriated or allocated for mothers aid or aid to dependent children are hereby made available for the purposes of this act. Nothing in this act shall be construed as authorizing any public official, agent or representative, in carrying out any provision of this chapter, to take charge of any child over the objection of either the father or the mother of such child, or of the person standing in loco parentis to such child, except pursuant to a proper court order.

**Sec. 240-B. Right of appeal.** Any person who is denied aid or who is

not satisfied with the amount of aid allotted to him by the department, or any municipality which is dissatisfied with a decision of the department made under any provision of this act, shall have the right of appeal to the commissioner of health and welfare who shall provide the appellant with reasonable notice and opportunity for a fair hearing. Said commissioner or a member of the department designated and authorized by him shall hear all evidence pertinent to the matter at issue and render a decision thereon within a reasonable period after the date of the hearing; provided, that when the evidence in the case is heard by a person other than the commissioner, the decision shall be rendered in the name of the commissioner.

**Sec. 240-C. Federal grants.** The treasurer of state shall be the appropriate fiscal officer of the state to receive federal grants on account of aid to dependent children and administration thereof, as contemplated by Title IV of the Federal Social Security Act, and the state controller shall authorize expenditures therefrom as approved by the department of health and welfare.