

MAINE STATE LEGISLATURE

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REPORTS
OF
THE COMMISSIONER
AND
THE LEGISLATIVE COMMISSION
SUBMITTING THE FINAL DRAFT OF THE
SIXTH REVISION
OF THE
PUBLIC LAWS
OF THE
STATE OF MAINE
UNDER RESOLVE OF MARCH 25, 1915

AUGUSTA
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TITLE THIRTEEN.

State Pensions.

CHAP. 148. The state pension law.

CHAPTER 148.

The State Pension Law.

Sec. 1. Pensions to soldiers and sailors. R. S. c. 145, § 1. 1913, c. 17. Any person who has served by enlistment in the army or navy of the United States in the war of eighteen hundred and sixty-one, on the quota of Maine, and any person not on the quota of Maine, who has served in the army or navy of the United States in said war, and who was a resident of this state at date of enlistment, and at time of making application for pension shall have been a resident of the state at least five years; also any person who has served by enlistment in the army or navy of the United States in the war with Spain, on the quota of Maine, and any person whether on or not on the quota of Maine, who has served in the army or navy of the United States in the war with Spain or the Philippine Insurrection at any time prior to the fourth day of July, nineteen hundred and two, and who was a resident of this state at date of enlistment, and at time of making application for pension shall have been a resident of the state at least five years, and who has been disabled by disease, wounds or other injuries contracted or received in said service, and who is unable from his own resources and the United States pension to obtain a livelihood for himself and those dependent upon him, shall be entitled to a pension from the state, not exceeding eight dollars a month, provided, he has been honorably discharged from said service. No such pension shall be paid by this state to persons residing in other states.

92 Me. 443.

Sec. 2. Pensions to widow, orphan children and dependent relatives. R. S. c. 145, § 2. The widow during her widowhood, orphan children under twelve years of age, orphan minor children over twelve years of age who are partially or totally disabled by accident or chronic sickness or the dependent child, parent or sister of any soldier or seaman deceased, are entitled to the same pension as is provided in the preceding section and under similar conditions; provided, that not more than eight dollars a month shall be paid one family.

Sec. 3. Benefits are limited to residents. R. S. c. 145, § 3. The two preceding sections do not include any soldier or seaman who was not a

resident of this state at the time of entering the service, or who has not since become a resident thereof.

Sec. 4. Pensions to soldiers of Aroostook war. R. S. c. 145, § 4. Any citizen of Maine who served in the drafted quota of the militia in the Aroostook war, has been honorably discharged and has been unable from his own resources to obtain a livelihood for himself and those dependent upon him, shall be entitled to a pension from the state of four dollars a month. The same shall be paid in accordance with the regulations provided in the four following sections.

Sec. 5. Certificates, by whom to be issued. R. S. c. 145, § 5. The execution of the first eight sections of this chapter devolves upon the governor and council, who shall regulate the proof required to entitle applicants to the benefit thereof, and shall issue certificates therefor.

Sec. 6. Pensioners, to be paid, quarterly, by town treasurers. R. S. c. 145, § 6. Upon the issue of such certificate, the treasurer of the city, town or plantation where the pensioner resides shall be notified thereof, and shall pay quarterly from the treasury of said city, town or plantation, to the pensioner, the amount specified and for the time specified in said certificate, and take vouchers therefor, and the same shall be reimbursed to said treasurer from the treasury of the state.

Sec. 7. Blanks shall be issued to town officers, at state's expense. R. S. c. 145, § 7. The necessary blanks shall be issued to the mayors of cities, selectmen of towns and assessors of plantations, as the governor may direct, and the expense of printing and distribution shall be paid out of the treasury of the state.

Sec. 8. Municipal officers are not entitled to fees. R. S. c. 145, § 8. No officer of any city, town or plantation shall receive any fees or compensation from the state for services performed under this chapter, or in carrying its provisions into effect.

Sec. 9. Payment of special and civil service pensions. 1911, c. 184. All pensions granted by special resolves of the legislature to dependent soldiers and sailors or dependent relatives thereof, and all civil service pensions granted under the following section or under section thirty-one of chapter one hundred and forty-two, shall be paid from the regular appropriations made for state pensions.

Sec. 10. Veterans of civil war retired on half pay. 1913, c. 93; c. 212. 1915, c. 2. A veteran of the civil war in the service of the state, including any such veteran in the service of the Augusta state hospital, who has been in such service continuously for twenty-five years, if incapacitated for active duty, shall be retired from active service, upon a pension, which shall be paid from the state treasury, equal to one-half the rate of compensation paid to him at such retirement. Such pension shall only be granted upon the recommendation of the head of the department, or board of trustees having charge of the institution where such service was last rendered, approved by the governor and council. The provisions of this section shall include a veteran of the civil war who left the service of the state prior to the twenty-fifth day of March, nineteen hundred and thirteen, who is otherwise entitled to its benefits by reason of length of service

CHAP. 148

and inability for active duty; and his retirement pay, as specified in this section, shall be based upon the compensation he was receiving from the state at the time his work for the state ceased; but no retirement pay shall be allowed for any time prior to the twelfth day of July, in the year nineteen hundred and thirteen.

Pensions for the Blind.

Sec. 11. Payments under supervision of governor and council. 1915, c. 109, § 1. The governor and council shall order paid, out of any funds appropriated for that purpose, such sums of money, toward the support of any needy blind persons, who may come under the provisions of the following sections, as may be required to carry out the provisions thereof.

Sec. 12. Persons entitled to aid. 1915, c. 109, § 2. All persons over the age of twenty-one years, who are declared to be blind, in the manner hereinafter set forth, and who come within the provisions of the following sections shall, at the discretion of the governor and council, receive as a benefit two hundred dollars a year, payable quarterly, upon warrants drawn on the treasurer of state.

Sec. 13. Persons excluded from receiving aid. 1915, c. 109, § 3. No person or persons who are charges of any charitable or penal institution of this state, or of any charitable or penal institution of any county or city thereof, or persons having an income of more than three hundred dollars a year, or able to earn the same, or persons who have not resided within the State of Maine continuously for ten consecutive years, and in their respective counties for one year immediately before applying for said benefit shall be entitled to benefits under the provisions of the following sections.

Sec. 14. Procedure for securing aid. 1915, c. 109, § 4. Any person claiming the benefits provided herein may go before the city, town, or plantation clerk where he resides, and make affidavit to the facts which bring him within the provisions of sections eleven to nineteen, both inclusive, of this chapter; said affidavit shall be deemed an application for said benefit; the clerk shall transmit the same, together with the affidavit of two witnesses, residents of the same county, as to the places and periods of residence of said applicant, to the municipal officers of the city, town, or plantation in which said blind person resides.

Sec. 15. Appointment of examiner of the blind. 1915, c. 109, § 5. The municipal officers of cities, towns and plantations shall appoint a regular practicing physician whose official title shall be examiner of the blind; he shall have an office in some convenient place in the city, town, or plantation for which he is appointed, during the first week of June and December of each year for the examination of applicants for said benefit; and said municipal officers shall forward to said examiner all applications received from the clerk of the city, town or plantation where the applicant resides.

Sec. 16. Duties of examiner of the blind; his compensation. 1915, c. 109, § 6. The examiner of the blind, during the first week of June and December of each year, shall examine all applicants for said benefits referred to him by the municipal officers, and shall indorse on the applica-

tions certificates showing whether or not the applicant is blind and needy. He shall keep a register in which he shall enter all the facts contained in each certificate, and shall forthwith return said applications with his certificate thereon to the municipal officers from whom they were received. He shall be paid from the county treasury two dollars for each examination.

Sec. 17. Duties of municipal officers to certify names of applicants entitled to aid. 1915, c. 109, § 7. The municipal officers shall register the name, address and number of each applicant and date of examination of such applicant entitled to benefits; and each year, on or before the twentieth day of June and December they shall certify to the governor and council the name and residence of all applicants entitled to aid.

Sec. 18. Duty of governor and council. 1915, c. 109, § 8. The governor and council shall cause warrants of fifty dollars each to be drawn on the treasurer of state, payable to each of said blind persons or their legal representatives every three months thereafter, during the life of said persons while they are residents of this state or until said disability is removed.

Sec. 19. Penalty for making false affidavit. 1915, c. 109, § 9. Whoever makes a false affidavit in order to secure the benefit herein provided, shall upon conviction, be deemed guilty of perjury and shall be subject to the penalty provided by law therefor.

The foregoing act, from chapter one to chapter one hundred and forty-eight, both inclusive, shall take effect and become law on the first day of January, in the year of our Lord one thousand nine hundred and seventeen.

IN THE HOUSE OF REPRESENTATIVES, 1916.

This bill, including chapters one to one hundred and forty-eight, inclusive, having had three several readings, passed to be enacted.

Speaker.

IN SENATE, 1916.

This bill, including chapters one to one hundred and forty-eight, inclusive, having had two several readings, passed to be enacted.

President.

1916. Approved.

Governor.