

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1343

S. P. 491

In Senate, February 13, 1963

Referred to Committee on Welfare. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Couture of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

**AN ACT Relieving Children and Certain Relatives of Financial Responsibility
in Old Age Assistance, Aid to the Blind and Aid to the Disabled.**

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

Sec. 1. R. S., c. 25, § 277, amended. Section 277 of chapter 25 of the Revised Statutes, as amended by section 1 of chapter 351 of the public laws of 1957, is further amended by repealing the last paragraph thereof, as follows:

~~'When the parent-child relationship between a parent and child was broken during the minority of the child and no significant relationship has ever been resumed, such person shall not be considered as a child of such parent in sections 276 to 297, inclusive.'~~

Sec. 2. R. S., c. 25, § 281, amended. The 3rd and 4th paragraphs of section 281 of chapter 25 of the Revised Statutes, as amended, are further amended to read as follows:

~~'An application shall not be considered unless accompanied by an individual~~ a sworn statement made on the part of ~~each adult child or the spouse of said applicant residing in this State and accessible, and such statements~~ **statement** shall include full information regarding ~~individual~~ income, assets and liabilities ~~provided that if. If such applicant has previously applied and there are is on file with the department any of the necessary a sworn statements~~ **statement**, then the applicant need only furnish such additional sworn statements as the department may require.

If the applicant is unable to obtain the sworn statement from ~~such child or the spouse~~, then upon proof of his inability to do so the department shall obtain

such statement or the required information from any available source and process the application. Any determination made under this section shall be subject to the right of appeal by the applicant under section 284.'

Sec. 3. R. S., c. 25, § 287, sub-§ II, amended. Subsection II of section 287 of chapter 25 of the Revised Statutes, as amended by section 1 of chapter 64 of the public laws of 1957, is further amended to read as follows:

'II. Income and assets of spouse. ~~An individual~~ A sworn statement made on the part of ~~each adult child residing in this State or the~~ spouse of said recipient and such ~~statements~~ **statement** shall include full information regarding ~~individual~~ income, assets and liabilities.'

Sec. 4. R. S., c. 25, § 287, amended. The first sentence of the last paragraph of section 287 of chapter 25 of the Revised Statutes, as amended by section 1 of chapter 64 of the public laws of 1957 and section 3 of chapter 393 of the public laws of 1961, is further amended to read as follows:

'If the recipient is unable to obtain the sworn statement from ~~such child or the~~ spouse, then upon proof of his inability to do so, the department shall obtain such statement or the required information from any available source and proceed to process the case.'

Sec. 6. R. S., c. 25, § 294, amended. The first paragraph of section 294 of chapter 25 of the Revised Statutes, as amended, is repealed and the following enacted in place thereof:

'The parents of a child receiving Aid to Dependent Children and the spouse of a recipient of Old Age Assistance, Aid to the Blind, or Aid to the Disabled shall, if of sufficient ability, be responsible for partial or total support of such persons. In determining the ability of such relatives, his assets as well as his income shall be considered.'

Sec. 7. R. S., c. 25, § 298, sub-§ III, repealed. Subsection III of section 298 of chapter 25 of the Revised Statutes, as enacted by section 2 of chapter 351 of the public laws of 1957, is repealed as follows:

'III. When the ~~parent child relationship between a parent and child was broken during the minority of the child and no significant relationship has ever been resumed, such person shall not be considered as a child of such parent in sections 298 to 318, inclusive.'~~

Sec. 8. R. S., c. 25, § 303, amended. The last 2 paragraphs of section 303 of chapter 25 of the Revised Statutes, as amended, are further amended to read as follows:

'An application shall not be considered unless accompanied by ~~an individual~~ a sworn statement made on the part of the spouse ~~parents and each adult child~~ of said applicant residing in this State, and such ~~statements~~ **statement** shall include full information revealing ~~individual~~ income, assets and liabilities ~~provided that if.~~ **provided that if.** If such applicant has previously applied and there ~~are~~ **is** on file with the department ~~any of the necessary~~ a sworn ~~statements~~ **statement** then the

applicant need only furnish such ~~additional~~ sworn statements as the department may require.

If the applicant is unable to obtain the sworn statement from such spouse ~~parents or child~~, then upon proof of his inability to do so the department shall obtain such statement or the required information from any available source and proceed to process the application. Any determination made under this section shall be subject to the right of appeal by the applicant under section 307.'

Sec. 9. R. S., c. 25, § 304, sub-§ II, amended. Subsection II of section 304 of chapter 25 of the Revised Statutes is amended to read as follows:

'**II. Income and assets of spouse.** ~~An individual A~~ sworn statement made on the part of the spouse ~~parents and each adult child~~ of said recipient residing in this State, and such ~~statements~~ **statement** shall include full information regarding ~~individual~~ income, assets and liabilities.'

Sec. 10. R. S., c. 25, § 304, amended. The last paragraph of section 304 of chapter 25 of the Revised Statutes, as amended by section 8 of chapter 393 of the public laws of 1961, is further amended to read as follows:

'If the recipient is unable to obtain the sworn statement from ~~such the~~ spouse, ~~parents or child~~ then upon proof of his inability to do so, the department shall obtain such statement or the required information from any available source and proceed to process the case. Any determination made under this section shall be subject to the right of appeal by the recipient under section 307.'

Sec. 11. R. S., c. 25, § 319-A, amended. The last paragraph of section 319-A of chapter 25 of the Revised Statutes, as enacted by section 3 of chapter 351 of the public laws of 1957, is repealed as follows:

'~~When the parent-child relationship between a parent and child was broken during the minority of the child and no significant relationship has ever been resumed, such person shall not be considered as a child of such parent in sections 319 A to 319 T.~~

Sec. 12. R. S., c. 25, § 319-E, amended. The last 2 paragraphs of section 319-E of chapter 25 of the Revised Statutes, as enacted by section 30 of chapter 405 of the public laws of 1955, and as amended, are further amended to read as follows:

'An application shall not be considered unless accompanied by ~~an individual~~ a sworn statement made on the part of the spouse ~~parents and each adult child~~ of said applicant residing in this State, and such ~~statements~~ **statement** shall include full information revealing ~~individual~~ income, assets and liabilities ~~provided that if~~. If such applicant has previously applied and there ~~are~~ **is** on file with the department ~~any of the necessary~~ a sworn ~~statements~~ **statement**, then the applicant need only furnish such ~~additional~~ sworn statements as the department may require.

If the applicant is unable to obtain the sworn statement from such spouse, ~~parents or child~~ then upon proof of his inability to do so the department shall obtain such statement or the required information from any available source

and proceed to process the application. Any determination made under this section shall be subject to the right of appeal by the applicant under section 319-G.'

Sec. 13. R. S., c. 25, § 319-K, sub-§ II, amended. Subsection II of section 319-K of chapter 25 of the Revised Statutes, as enacted by section 30 of chapter 405 of the public laws of 1955, is amended to read as follows:

'II. Income and assets of spouse. ~~An individual~~ A sworn statement made on the part of the spouse ~~parents and each adult child~~ of said recipient residing in this State, and such ~~statements~~ **statement** shall include full information revealing ~~individual~~ income, assets and liabilities.'

Sec. 14. R. S., c. 25, § 319-K, amended. The last paragraph of section 319-K of chapter 25 of the Revised Statutes, as enacted by section 30 of chapter 405 of the public laws of 1955, as amended by section 12 of chapter 393 of the public laws of 1961, is further amended to read as follows:

'If the recipient is unable to obtain the sworn statement from such spouse ~~parents or child~~, then upon proof of his inability to do so, the department shall obtain such statement or the required information from any available source and proceed to process the case. Any determination made under this section shall be subject to the right of appeal by the recipient under section 319-G.'