

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 213

H. P. 149

House of Representatives, January 19, 1967

Referred to Committee on Judiciary. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Gill of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Revising the Laws Relating to Support at State Institutions.

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

Sec. 1. R. S., T. 34, § 2512, amended. Section 2512 of Title 34 of the Revised Statutes, as repealed and replaced by section 2 of chapter 292 of the public laws of 1965, is amended to read as follows:

§ 2512. Persons liable

~~No bills shall be rendered until a determination of ability to pay has been made as provided, except that, in instances wherein the patient or legally liable person agrees to pay the fixed maximum rate, such determination may be limited to a verification by reliable references of the ability of such person to pay the fixed maximum rate.~~ Each patient and the spouse, adult child and parent, jointly and severally, shall be legally liable from the date of admission for the support of any patient committed or otherwise legally admitted to either state hospital for the mentally ill or to the Pineland Hospital and Training Center, except that a parent shall not be legally liable for support unless the patient was wholly or partially dependent for support upon such parent at the time of admission.

No child of a patient shall be liable for any part of such costs for a parent who willfully failed to support such child prior to the child's 18th birthday. Any child claiming such exemption shall be required to furnish the department with clear and convincing evidence substantiating such claim.

Sec. 2. R. S., T. 34, § 2513, amended. The 2nd paragraph of section 2513 of Title 34 of the Revised Statutes is repealed and the following paragraph enacted in place thereof:

In determining ability to pay, the department shall consider in respect of the patient or other person, legally liable for the support of the patient, all income, debts, expenses and obligations, and the number and condition of dependents.

Sec. 3. R. S., T. 34, § 2513, amended. The 4th paragraph of section 2513 of Title 34 of the Revised Statutes, as enacted by section 3 of chapter 292 of the public laws of 1965 is amended by inserting after the first sentence, a new sentence to read as follows:

Any person who fails to obey the subpoena of the commissioner or his representative may be punished as for contempt of court on application to the Superior Court by the commissioner or his representative.