

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
SENATE  
104th LEGISLATURE

SENATE AMENDMENT "B" to S.P. 366, L.D. 1248, Bill, "AN ACT to Correct Errors and Inconsistencies in the Public Laws."

Amend said Bill by inserting after section 36 the following sections:

'Sec. 36-A. R.S., T.22, §3100, additional. Title 22 of the Revised Statutes is amended by adding a new section 3100 to read as follows:

§3100. State Policy on welfare  
It is the policy of this State:

1. Persons in need. That its social welfare program shall provide assistance, care and service to the persons of the State in need thereof and thereby promote the well-being of all the people of the State;
2. Purpose. That it is the purpose of the social welfare laws to establish and support programs which contribute to the prevention of dependency and social maladjustment, as well as rehabilitative, preventive and protective services;
3. Administration. That assistance, care and service shall be administered promptly, with due regard for the preservation of family life, and without restriction of individual rights or discrimination on account of race, religion, political affiliation or place of residence within the State;
4. Adequate assistance. That assistance, care and service shall be so administered as to maintain and encourage dignity, self-respect and self-reliance.
5. Family life. That it is further declared to be the policy of this State to direct its efforts to the strengthening of family life for the care and protection of children; to assist and encourage the use by any family of all available personal and community resources to this end; and to provide substitute care of children only when the family, with the use of resources available to it, is unable to provide the necessary care and protection to assure the rights of any child to sound health, and normal physical, mental, spiritual and moral development;

Sec. 36-B. R. S., T. 22, §4467, repealed and replaced. Section 4467 of Title 22 of the Revised Statutes is repealed and the following enacted in place thereof:

§4467. Liability of relatives for support; procedure  
The spouse, father, mother and adult children shall support persons chargeable in proportion to their respective ability. A town, the State or any kindred of a person who has received general assistance, having incurred expense for the relief of such person, may complain to the Superior Court in the county where any of the kindred

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reside. The court may cause such kindred to be summoned, and upon hearing or default may assess and apportion a reasonable sum upon such as are found to be of sufficient ability for the support of such person to the time of such assessment, and shall issue a writ of execution. Such assessment shall not be made to pay any expense for relief afforded more than 6 months before the complaint was filed. Such complaint may be filed with the clerk of the court who shall issue a summons thereon, returnable and to be served as writs of summons are. On motion of either party alleging that there are other kindred of ability not named, the complaint may be amended by inserting their names, and they may be summoned in like manner and be proceeded against as if originally named. The court may assess and apportion upon such kindred a sum sufficient for the future support of such person, to be paid weekly or monthly, until further order. On application of the town, the State or person to whom payment was ordered, the clerk may issue or renew a writ of execution returnable to the next term of the court to collect what may be due for any preceding period. The court may, from time to time, make any further order on complaint of a party interested, and after notice given, alter such assessment or apportionment. On failure to sustain a complaint, the respondents recover costs.

Sec. 36-C. R. S., T. 22, §§4496 & 4497, additional. Title 22 of the Revised Statutes is amended by adding 2 new sections, 4496 and 4497, to read as follows:

§4496. Grant, denials, decreases or closings to be confirmed in writing  
Any action relative to granting, denial, decreasing or closing of general assistance to an individual or family must be confirmed in writing to the applicant and shall include the specific reason or reasons for such action.

§4497. Right to fair hearing

Any person dissatisfied with a decision, act, failure to act or delay in action in regard to his request or application for assistance shall have the right to a fair hearing by the commissioner or his designated representative. Based on his findings, the commissioner may make such recommendations to the municipality as he deems just and proper.

Proposed by Senator REED of Sagadahoc.

Reproduced and distributed pursuant to Senate Rule No. 11A.

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