

MAINE STATE LEGISLATURE

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EIGHTY-FIRST' LEGISLATURE

SENATE

NO. 237

In Senate, March 13, 1923.

Taken from table on motion by Mr. Smith and referred to Committees on Pensions and Labor and 1000 copies ordered printed. Sent down for concurrence.

L. ERNEST THORNTON, Secretary.

Presented by Senator Smith of Somerset.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND TWENTY-THREE

AN ACT Providing for the Protection and Assistance for Aged Persons Under Certain Conditions in the State of Maine and Prescribing Penalties for Violation of the Provisions Hereof and Making an Appropriation for Carrying Out of Its Purposes.

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

Section 1. The governor and council shall order paid, 2 out of any funds appropriated for that purpose, such sums 3 of money, toward the support of aged persons, who shall 4 come under the provisions of the following sections, as may 5 be required to carry out the provisions of this act.

Sect. 2. All persons over sixty-five years of age and who
2 come within the provisions of the following sections shall,
3 at the discretion of the governor and council, receive as a
4 benefit and assistance, a sum of money not to exceed three
5 hundred dollars a year, payable monthly, upon warrants
6 drawn on the treasurer of state.

Sect. 3. No person who has not been a citizen of the
2 United States for at least fifteen years and a resident of
3 the state of Maine continuously for five years immediately
4 prior to the filing of an application for assistance, or is at
5 the date of making application an inmate of any prison,
6 jail, workhouse, infirmary, insane asylum or other public
7 reform or correctional institution, or has deprived himself
8 directly or indirectly of any property or income for the
9 purpose of qualifying for old age relief, or has any child,
10 relative or other person responsible for his support under
11 the laws of the state of Maine, shall be entitled to the bene-
12 fits of this act.

Sect. 4. Any person claiming the benefits as provided
2 herein may go before the city, town or plantation clerk
3 where he resides and make affidavit to the facts which bring
4 him within the provisions of this act, said affidavit shall
5 be deemed an application for said benefit; the clerk shall
6 transmit the same, together with affidavit of two witnesses,
7 residents of the same county, as to the truth of the facts
8 alleged to the overseers of the poor, who shall promptly for-
9 ward it to the governor and council with their recommenda-

10 tions. Should the application be denied the applicant may
11 demand a prompt hearing before the governor and council
12 to present evidence in support of his claim.

Sect. 5. The benefit shall commence on the date named
2 in the application and shall continue at the discretion of
3 the governor and council, who may make investigations of
4 conditions of the recipient when advisable and either in-
5 crease, diminish or suspend assistance as the investigation
6 warrants, but assistance shall cease when the applicant shall
7 move from the state of Maine.

Sect. 6. If at any time during the continuance of old age
2 assistance the recipient or the husband or wife of the re-
3 cipient becomes possessed of any property or income to
4 support said recipient, the governor and council may can-
5 cel or vary the amount to be paid and it shall be the duty
6 of the recipient to immediately notify the governor and
7 council of the receipt or possession of such property or
8 income.

Sect. 7. On the death of the recipient the installment then
2 accruing and such other reasonable funeral expenses as are
3 necessary for the burial of such person shall be paid to
4 such person as the governor and council direct, provided
5 that these expenses do not exceed one hundred dollars and
6 provided that the estate of the deceased is insufficient to
7 defray these expenses.

Sect. 8. During the continuance of the assistance no re-
2 cipient shall receive any other relief from the state or any

3 subdivision thereof except for medical or surgical assist-
4 ance.

Sect. 9. Municipalities shall be liable to the state of Maine
2 for one-half the amount expended in behalf of recipients
3 resident in said municipality at the time of the application.

Sect. 10. Whoever makes a false affidavit in order to
2 secure or assist in securing the benefit herein provided for
3 shall upon conviction be deemed guilty of perjury and shall
4 be subject to the penalty provided by law therefor.

Sect. 11. There is hereby appropriated from the state
2 treasury the sum of twenty thousand dollars; five thousand
3 dollars for the year nineteen hundred twenty-three and
4 fifteen thousand dollars for the year nineteen hundred
5 twenty-four.