

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIRST LEGISLATURE

SENATE

NO. 320

In Senate, April 3, 1923.

Tabled by Mr. Smith of Somerset pending acceptance of either report and new draft ordered printed.

L. ERNEST THORNTON, Secretary.

STATE OF MAINE

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

AN ACT Providing for the Benefit 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 5 may be required to carry out the provisions of this act.

Sect. 2. All persons over sixty-five years of age and

2 who come within the provisions of the following sections
3 shall, at the discretion of the governor and council, re-
4 ceive as a benefit and assistance, a sum of money not to
5 exceed three hundred dollars a year, payable monthly, upon
6 warrants 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 the
3 state of Maine and of the town where application is made,
4 continuously for five years immediately prior to the filing
5 of an application for assistance, or is at the date of making
6 application an inmate of any prison, jail, workshop, in-
7 firmary, insane asylum or other public reform or correc-
8 tional institution, or has deprived himself directly or in-
9 directly of any property or income for the purpose of
10 qualifying for old age relief, or has any child, relative or
11 other person responsible for his support under the laws of
12 the state of Maine, shall be entitled to the benefits of this
13 act.

Sec. 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
4 bring him within the provisions of this act, said affidavit
5 shall be deemed an application for said benefit; the clerk
6 shall transmit the same, together with affidavit of two wit-
7 nesses, residents of the same county, as to the truth of the
8 facts alleged to the overseers of the poor, who shall prompt-
9 ly forward it to the governor and council with their recom-

10 mendations. Should the application be denied the applicant
11 may demand a prompt hearing before the governor and
12 council 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
2 age assistance the recipient or the husband or wife of the
3 recipient becomes possessed of any property or income to
4 support said recipient, the governor and council may cancel
5 or vary the amount to be paid and it shall be the duty of
6 the recipient to immediately notify the governor and council
7 of the receipt or possession of such property or income.

Sect. 7. On the death of the recipient the installment
2 then accruing and such other reasonable funeral expenses as
3 are necessary for the burial of such person shall be paid
4 to 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 expenses.

Sect. 8. During the continuance of the assistance no
2 recipient shall receive any other relief from the state or
3 any subdivision thereof except for medical or surgical
4 assistance.

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.