

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 114

S. P. 124

In Senate, January 25, 1939.

Referred to Committee on Pensions. Sent down for concurrence and 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Beckett of Washington.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT Relating to Exemption of Homes from Claims in re Old Age Assistance.

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

P. & S. L., 1937, Title II, c. 105, § 12, amended. Section 12 of chapter 105 of the private and special laws of 1937 is hereby amended to read as follows:

'Sec. 12. Claims against estate of person assisted. Upon the death of a beneficiary, the state shall have a claim against his estate, enforceable in the probate court, for all amounts paid to him under the provisions of this act. Such claim shall have priority over all unsecured claims against such estate, except (1) administrative expenses, including probate fees and taxes, and (2) expenses of the last sickness and burial expenses. The attorney-general shall collect any claim which the state may have hereunder against such estate. Provided, that no such claim shall be enforced against any real estate while it is occupied as a home by the surviving spouse of the beneficiary ~~if such spouse is eligible for old age assistance under the provisions of this act or will reach the age of eligibility within 5 years of the time of death of the beneficiary~~ and said spouse does not marry again. If the state participates in federal funds for the purpose of this act, $\frac{1}{2}$ of the net amount collected from the estate of the beneficiary,

with respect to old age assistance furnished him, shall be promptly paid by the treasurer of state to the United States as required by the laws of the United States.'