

# MAINE STATE LEGISLATURE

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N I N E T Y - S E C O N D      L E G I S L A T U R E

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Legislative Document

No. 713

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S. P. 299

In Senate, February 13, 1945.

Referred to Committee on Welfare, sent down for concurrence and ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Good of Aroostook.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FORTY-FIVE

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AN ACT Relating to General Public Assistance.

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

**R. S., c. 22, amended.** Chapter 22 of the revised statutes is hereby amended by adding thereto new sections to be numbered 222-A to 222-S, inclusive, to read as follows:

**'Sec. 222-A. Eligibility for general public assistance. General public assistance shall be provided under the provisions of sections 222-A to 222-S, inclusive, to any needy individual who has not available sufficient income and resources to maintain a reasonable standard of health and well-being.'**

**'Sec. 222-B. General public assistance. General public assistance shall include all assistance, financed in whole or in part by the state, provided to persons in need in the state, excepting aid provided to persons at any state institution or assistance provided as old age assistance, aid to the blind, aid to dependent children, aid to children committed to the custody of the state, soldiers' relief or any relief or work relief program financed in full by the federal government. Nothing contained in sections 222-A to 222-S, inclusive, shall prevent the granting of general public assistance to needy persons who are unemployable, and nothing contained in said sections shall be construed as preventing the granting of general public assistance**

as supplementary aid, where needed, to persons receiving other types of assistance. General public assistance may be provided either in the form of work relief or home relief and may include necessary medical care and supplies, hospitalization, and funeral expenses.'

'Sec. 222-C. Amount of assistance. The amount of assistance which any recipient shall receive shall be determined with due regard to his requirements and the conditions existing in his situation, and to the income and resources available to him from whatever source, and shall be sufficient, when added to the income and resources determined to be available to him, to provide him with a reasonable subsistence compatible with health and decency.'

'Sec. 222-D. Municipal boards. In each city, town or plantation there shall be a municipal board of public assistance, hereinafter referred to as the "municipal board", to consist of the overseers of the poor or board of overseers of the poor ex officio. Such municipal board may delegate its authority to a single member of the board, a town manager or other competent person by duly recorded vote of the board.'

'Sec. 222-E. Applications. Application for aid under the provisions of sections 222-A to 222-S, inclusive, shall be made to the municipal board upon forms approved by the state department of health and welfare, hereinafter referred to as the "department"; provided, however, that temporary emergency assistance may be granted pending investigations and formal action on the application.'

'Sec. 222-F. Assistance to persons living in unincorporated places. Persons living in places not incorporated and needing assistance shall make application to the municipal board of such town or plantation as may be designated by the department. The state shall reimburse such town or plantation in full for the assistance furnished and for the reasonable expenses and services incurred by municipal boards in such cases. The department may, in its discretion, make such other arrangements as it may deem advisable for the assistance of persons living in such unincorporated places. The state may provide care at Jefferson Camp, so called, or any similar home which may hereafter be established by the state for needy persons having no permanent home.'

'Sec. 222-G. Towns authorized to raise money for purposes of §§ 222-A - 222-S. Cities, towns and plantations are hereby authorized to raise money for the purpose of carrying out the provisions of sections 222-A to 222-S, inclusive.'

'Sec. 222-H. Union of towns to administer general public assistance. Two or more towns or plantations may unite for the purpose of administering general public assistance. The municipal boards of the respective towns or plantations in the union shall constitute a joint municipal board. Such board shall employ one of its members or some other competent person to perform the duties required in administering general public relief. The expense incurred under the provisions of this section shall be apportioned among the members of the union and the state shall reimburse the members of the union for 33  $\frac{1}{3}$ % of each member's expense.'

'Sec. 222-I. City or town homes or hospitals may be maintained. Existing city or town homes or hospitals may be maintained for the care of persons in need of assistance under the provisions of sections 222-A to 222-S, inclusive.'

'Sec. 222-J. Reimbursement by the state. In respect to all sums expended under the provisions of this chapter, the city, town or plantation expending the same shall submit, on forms established by the department, statements of the sums so expended together with proper vouchers for the same. Upon approval of such expenditures by the department the state shall reimburse the city, town or plantation for 33  $\frac{1}{3}$  % of the amount so expended; provided, that when and if federal funds become available for assistance under the provisions of sections 222-A to 222-S, inclusive, reimbursement to the cities, towns and plantations shall be increased to 66  $\frac{2}{3}$  % of the amount expended.'

'Sec. 222-K. Fair hearing. Any applicant or recipient aggrieved because of a decision or a delay in making a decision shall be entitled to an appeal and shall be afforded reasonable notice and opportunity for a fair hearing before the department. The decision of the department, when approved by the commissioner, shall be final and binding upon the local municipal board involved and shall be complied with forthwith.'

'Sec. 222-L. Town may recover from person assisted. A person, his executor or administrator, shall be liable in contract to any town for expenses incurred by it for his support.'

'Sec. 222-M. Town liable to individual relieving. Every town shall be liable for any expense necessarily incurred for the relief of a person in need of public assistance by any person not liable by law for his support, after notice in writing to one or more of the members of the board of public welfare, and until provision is made by them.'

'Sec. 222-N. Authority to receive federal funds. The department shall have authority to accept the provisions of any federal law now in effect or hereafter enacted which makes federal funds available for general public assistance purposes and to meet such federal requirements with respect to the administration of such funds as are required as conditions precedent to receiving such federal funds.'

'Sec. 222-O. Department to establish standards. The department shall from time to time establish standards with respect to general public assistance; provided, however, that copies of all proposed standards shall be forwarded to local municipal boards at least 30 days prior to their effective date. Any city, town or plantation may make grants of general public assistance in excess of standards, established by the department, but in such event the reimbursement by the state shall be only  $33 \frac{1}{3} \%$  or  $66 \frac{2}{3} \%$ , as the case may be, of the state standard and the excess shall be paid from local general relief funds. Nothing contained in sections 222-A to 222-S, inclusive, shall be construed to prevent any city, town or plantation from assisting, out of local general relief funds, any person deemed eligible for assistance by a municipal board who is not eligible in accordance with state standards.'

'Sec. 222-P. Change of status of person assisted. If at any time during the continuance of public assistance the recipient thereof becomes possessed of income or resources in excess of the amount previously reported by him, it shall be his duty to notify the department providing assistance of this fact immediately on the receipt or possession of additional income or resources.'

'Sec. 222-Q. Penalties. Any person who by any fraudulent device obtains, or attempts to obtain, or aids or abets any person to obtain public assistance to which he is not entitled shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$500, or by imprisonment for not more than 6 months, or both such fine and imprisonment.'

'Sec. 222-R. Recipients not paupers. No person receiving assistance under the provisions of sections 222-A to 222-S, inclusive, shall be deemed a pauper by reason thereof.'

'Sec. 222-S. Effective date. The provisions of sections 222-A to 222-S, inclusive, shall take effect April 1, 1946.'