

MAINE STATE LEGISLATURE

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

Legislative Document

No. 859

H. P. 1252

House of Representatives, February 13, 1947.

Referred to Committee on Welfare. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Day of Monticello.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT Relating to General Assistance.

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-T, inclusive, to read as follows:

General Assistance

Sec. 222-A. Eligibility for general assistance. General assistance shall be provided under the provisions of sections 222-A to 222-T, 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 assistance. General assistance shall include all assistance, financed in whole or in part by the state, or any city, town or plantation therein, 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-T, inclusive, shall prevent the granting of

general assistance to needy persons who are unemployable, and nothing contained in said sections shall be construed as preventing the granting of general assistance as supplementary aid, where needed, to persons receiving other types of assistance. General assistance may be provided in the form of work relief or home relief and may include necessary medical care and supplies, hospitalization, and funeral expenses. General assistance payments shall be made in a form prescribed and approved by the department.

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 general 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-T, inclusive, shall be made to the municipal board upon forms and in the manner approved by the state department of health and welfare, hereinafter referred to as the "department"; provided, however, that temporary emergency assistance including hospitalization and medical care may be granted pending investigations and formal action on the application. Temporary assistance shall not exceed 30 days' duration.

Sec. 222-F. General assistance to persons living in unincorporated places. Persons living in places not incorporated and needing general 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 required to raise money for purposes of §§ 222-A - 222-T. Cities, towns and plantations shall raise money for the purpose of carrying out the provisions of sections 222-A to 222-T, inclusive.

Sec. 222-H. Limitations. If any city, town or plantation shall expend for general assistance in accordance with standards adopted by the department, in any fiscal year ending after July 1, 1948, an amount in excess of its highest annual payments for the same purposes during the period of 1925 to 1944, inclusive, the state shall reimburse such city, town or plantation for the amount of such excess expenditures, adjustment to be made at the end of each fiscal year.

Sec. 222-I. Union of towns to administer general assistance. Two or more towns or plantations may unite for the purpose of administering general 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 assistance. The administrative 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 administrative expense.

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, statistical and other reports containing such information as is required from time to time by the department. 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-T, inclusive, reimbursement to the cities, towns and plantations shall be increased to an amount not exceeding 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 to the department 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 city, town or plantation 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 general assistance by any person not liable by law for his support, after notice in writing to one or more of the members of the municipal board, and until provision is made by the town.

Sec. 222-N. Authority to receive federal funds. The state shall have authority to accept the provisions of any federal law now in effect or hereafter enacted which makes federal funds available for general 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 and rules and regulations. The department shall from time to time establish standards and rules and regulations with respect to general assistance which shall be mandatory on the municipal boards; provided, however, that copies of all adopted standards and rules and regulations 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 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 not exceeding 66 $\frac{2}{3}$ %, as the case may be, of the state standard and the excess shall be paid from municipal general assistance funds. Nothing contained in sections 222-A to 222-T, inclusive, shall be construed to prevent any city, town or plantation from assisting, out of municipal general assistance funds, any person deemed eligible for assistance by a municipal board who is eligible in accordance with state standards.

Sec. 222-P. Change of status of person assisted. If at any time during the continuance of general 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 local agency 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 general 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 11 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-T, inclusive, shall be deemed a pauper by reason thereof:

Sec. 222-S. Repeal of conflicting statutes in c. 82, etc. Sections 2, 4, 5, 11, 12, 14, 19, 21-24 inclusive, 28-35 inclusive, 37 and 39-42 inclusive, of chapter 82 of the revised statutes and all other acts or parts of acts inconsistent with this act are hereby repealed.

Sec. 222-T. Effective date. The provisions of sections 222-A to 222-T, inclusive, shall take effect July 1, 1948.'