

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. 1468

S. P. 542

In Senate, April 25, 1947

Reported by Senator McKusick of Piscataquis from the Committee on Welfare and printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-SEVEN

AN ACT Relating to Old Age Assistance.

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

Sec. 1. R. S., c. 22, § 257, amended. Section 257 of chapter 22 of the revised statutes is hereby amended to read as follows:

‘**Sec. 257. Administration.** All moneys made available under the provisions of sections 256 to 274, inclusive, shall be expended under the direction of the department, and the department is empowered to direct the expenditure therefrom of such sums as may be necessary for the purposes of administration. All assistance granted under said sections shall be paid ~~monthly~~ **semi-monthly** by the state. The department shall make and enforce reasonable rules and regulations governing the custody, use, and preservation of the records, papers, files, and communications of the department. The use of such records, papers, files, and communications by any other agency or department of government to which they may be furnished shall be limited to the purposes for which they are furnished and by the provisions of the law under which they may be furnished.’

Sec. 2. R. S., c. 22, § 271, amended. Section 271 of chapter 22 of the revised statutes is hereby amended to read as follows:

‘**Sec. 271. Liability of relatives to support; procedure.** The husband,

wife, father, mother, grandparent, child, or grandchild of a recipient of, **or an applicant for**, public assistance of any nature from the state shall, if of sufficient ability, be responsible for the support of such persons. **In determining the ability of such relative, his assets as well as his income shall be considered.**

The commissioner is authorized and empowered to bring proceedings in the name of the state of Maine in any court of competent jurisdiction to compel any person liable under the provisions of this section for support to contribute to the support of any person who is receiving, **or who has applied and is otherwise eligible for**, public assistance. The court shall have power to determine what shall be a fair and reasonable amount for such support and maintenance to be paid by the party adjudged liable, **and to determine what amount shall be paid by such party to the department as reimbursement for moneys already furnished to a recipient. If such person is receiving public assistance the court may order that such amount for such support and maintenance be paid to the commissioner for the use of such recipient.** The action may be brought in the same manner and form as that provided by section 20 of chapter 82, **except that such action may be commenced and acted upon by the court in vacation upon not less than 10 days' notice.**