

MAINE STATE LEGISLATURE

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NINETY-FOURTH LEGISLATURE

Legislative Document

No. 332

H. P. 865

House of Representatives, February 3, 1949

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

HARVEY R. PEASE, Clerk

Presented by Mr. Lackee of Addison.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

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, § 260, amended. Section 260 of chapter 22 of the revised statutes, as amended by section 1 of chapter 251 of the public laws of 1945, and section 1 of chapter 402 of the public laws of 1947 and chapter 1 of the public laws of 1949, is hereby further amended to read as follows:

Sec. 260. Old age assistance provided for; application procedure. Subject to the qualifications and restrictions contained in sections 256 to 274, inclusive, every person residing in this state shall be entitled to assistance in old age. The amount of assistance which any person shall receive shall be determined on a budgetary basis with due regard to the conditions existing in each case and in accordance with the rules and regulations made by the department. This assistance shall be sufficient, when added to all other income and support of the recipient, to provide such person with a reasonable subsistence compatible with decency and health, but not exceeding \$50 per month.

Applications for old age assistance ~~under the provisions of this section may~~ shall be made to ~~either the state or the municipal officers of the cities, towns, and plantations in which the applicant resides, in accordance~~

~~with such regulations as the commissioner of the department shall prescribe the department on forms provided by the department. Said applications shall contain such information as may be required by the department. Said applications shall be made on blanks furnished by the department and forwarded by said municipal officers to said department.~~

An application shall not be considered unless accompanied by an individual sworn statement ~~of inability to support the applicant~~ made on the part of each adult child or spouse of said applicant residing in this state, and such statements shall include full information regarding individual income, assets and liabilities, **provided that if such applicant has previously applied and there are on file with the department any of the necessary sworn statements then the applicant need only furnish such additional sworn statements as the department may require.**

If the applicant is unable to obtain the sworn statement from such child or spouse as above provided, then upon proof of his inability to do so ~~and after hearing~~ the department shall determine whether such inability to do so is real and genuine, and if it decides that it is real and genuine, then the merits of his application shall be considered. Any determination made under the provisions of this section shall be subject to the right of appeal by the applicant under the provisions of section 262.'

Sec. 2. R. S., c. 22, § 265, amended. The 3rd and 4th paragraphs of section 265 of chapter 22 of the revised statutes, as amended by section 3 of chapter 402 of the public laws of 1947, are hereby further amended to read as follows:

'Any recipient of old age assistance shall be disqualified from receiving old age assistance unless he files with the ~~commissioner, or or before January 1, 1948~~ **department whenever the department may require it** the following information:

- I. A sworn statement concerning income, assets and liabilities of the recipient sworn to by the recipient;
- II. An individual sworn statement ~~of inability to support the recipient~~ made on the part of each ~~accessible~~ adult child or spouse of said recipient **residing in this state** and such statements shall include full information regarding individual income, assets and liabilities.

Provided, however, if the recipient is unable to obtain the sworn statement from such child or spouse as above provided, then upon proof of his inability to do so ~~and after hearing~~, the department shall determine

whether such inability to do so is real and genuine, and if it decides that it is real and genuine, then the merits of his ~~application case~~ shall be considered. Any determination made under the provisions of ~~this~~ section shall be subject to the right of appeal by the recipient under the provisions of section 262.'