

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(Transmitted by Director of Legislative Research pursuant to joint order)

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

Legislative Document

No. 1273

H. P. 1910

House of Representatives, March 4, 1949.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Silsby of Aurora.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to Welfare Claims Against Estates.

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

Sec. 1. R. S., c. 152, § 15, amended. Section 15 of chapter 152 of the revised statutes is hereby amended to read as follows:

'Sec. 15. Claims against estates to be filed in writing with affidavit; no action for 30 days; claims not filed, barred. All claims against estates of deceased persons, including claims for amounts paid under the provisions of sections 256 to 274, inclusive, of chapter 22, and except for funeral expenses, expenses of administration, legacies, distributive shares, and for labor and materials for which suit may be commenced under the provisions of section 39 of chapter 164, shall be presented to the executor or administrator in writing, or filed in the registry of probate, supported by an affidavit of the claimant, or of some other person cognizant thereof, either before or within 12 months after his qualification as such executor or administrator; and no action shall be commenced against such executor or administrator on any such claim until 30 days after the presentation or filing of such claim as above provided. Any claim not so presented or filed shall be forever barred against the estate, except as provided in sections 18, 20, and 22 of this chapter.'

Sec. 2. R. S., c. 152, § 15-A, additional. Chapter 152 of the revised statutes is hereby amended by adding thereto a new section to be numbered 15-A, to read as follows:

'Sec. 15-A. State of Maine welfare claims barred unless administration of estate taken out. In an estate where the state of Maine has any claim under the provisions of sections 256 to 274, inclusive, of chapter 22, the claim shall be forever barred unless administration is taken out on such estate within 1 year following the death of the beneficiary.'