

MAINE STATE LEGISLATURE

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

Legislative Document

No. 79

S. P. 76

In Senate, January 18, 1951

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Haskell of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

AN ACT Relating to Aid to Dependent Children.

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

Sec. 1. R. S., c. 22, § 226, sub-§§ II, III, repealed and replaced. Subsections II and III of section 226 of chapter 22 of the revised statutes are hereby repealed and the following enacted in place thereof:

'II. The term "relative with whom any dependent child is living" means the individual who is one of the relatives specified in subsection I and with whom such child is living, within the meaning of such subsection, in a place of residence maintained by such individual, himself or together with any one or more of the other relatives so specified, as his, or their, own home.'

'III. The term "aid to dependent children" means money payments with respect to, or medical care in behalf of or any type of remedial care in behalf of, a dependent child or dependent children, and includes money payments or medical care or any type of remedial care for any month to meet the needs of the relative with whom any dependent child is living if money payments have been made with respect to such child for such month.'

Sec. 2. R. S., c. 22, § 227, amended. The last sentence of section 227 of chapter 22 of the revised statutes is hereby amended to read as follows:

‘The provisions of sections 226 to 235, inclusive, shall apply to any dependent child who has resided in the state for 1 year immediately preceding the application for such aid; or who was born ~~within the state~~ within 1 year immediately preceding the application, ~~and whose mother if the parent or other relative with whom the child is living~~ has resided in the state 1 year immediately preceding the birth of the child.’

Sec. 3 R. S., c. 22, § 232, amended. The 1st sentence of section 232 of chapter 22 of the revised statutes is hereby amended to read as follows:

‘Any person who is denied aid or who is not satisfied with the amount of aid allotted to him by the department, **or whose application is not acted upon with reasonable promptness**, or any municipality which is dissatisfied with a decision of the department made under any provision of sections 226 to 235, inclusive, shall have the right of appeal to the commissioner, who shall provide the appellant with reasonable notice and opportunity for a fair hearing.’

Sec. 4. R. S., c. 22, §§ 235-A, 235-B, additional. Chapter 22 of the revised statutes is hereby amended by adding thereto 2 new sections to be numbered 235-A and 235-B, to read as follows:

‘Sec. 235-A. Aid may be paid to a guardian or conservator. When a relative with whom a child is living is found by the department to be incapable of taking care of his money, payment shall be made only to a legally appointed guardian or conservator of such relative.

Sec. 235-B. Inalienability of assistance. All rights to aid shall be absolutely inalienable by any assignment, sale, execution, pledge or otherwise, and shall not pass, in case of insolvency or bankruptcy, to any trustee, assignee or creditor.’