

# MAINE STATE LEGISLATURE

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**Legislative Document**

**No. 104**

H. P. 173

House of Representatives, January 18, 1951

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

HARVEY R. PEASE, Clerk

Presented by Mr. Gerrish of Old Orchard Beach.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
FIFTY-ONE

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### **AN ACT Liberalizing Old Age Assistance.**

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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, 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 shall be made to the department on forms provided by the department. Said applications shall contain such information as may be required by the department.

~~An application shall not be considered unless accompanied by an indi-~~

vidual sworn statement made on the part of each adult child or spouse of said applicant residing in this state and accessible, 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 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, § 261, sub-§ II, amended.** Subsection II of section 261 of chapter 22 of the revised statutes, as amended, is hereby further amended to read as follows:

**'II. Has not sufficient income or other resources to provide a reasonable subsistence compatible with decency and health and such facts, together with statements including full information regarding income, assets and liabilities, shall be sworn to in the application by the applicant. Such resources, including both real and personal property, shall not exceed \$5,000;'**

**Sec. 3. R. S., c. 22, § 261, sub-§§ V and VI, repealed.** Subsections V and VI of section 261 of chapter 22 of the revised statutes, as amended, are hereby repealed.

**Sec. 4. R. S., c. 22, § 265, repealed and replaced.** Section 265 of chapter 22 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof:

**'Sec. 265. Disqualification of applicant and recipient. Any applicant for or recipient of old age assistance, who divests himself directly or indirectly of any property without a reasonable consideration or for the purpose of qualifying for such assistance, shall forfeit all right to receive assistance under the provisions of sections 256 to 274, inclusive.**

**Any recipient of old age assistance who is convicted of a felony shall be disqualified from receiving old age assistance.**

**Any recipient of old age assistance shall be disqualified from receiving**

old age assistance unless he files with the department whenever the department may require it a sworn statement concerning income, assets and liabilities of the recipient sworn to by the recipient.'

Sec. 5. R. S., c. 22, §§ 268, 271 and 272, repealed. Sections 268, 271 and 272 of chapter 22 of the revised statutes, as amended, are hereby repealed.