

MAINE STATE LEGISLATURE

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

Legislative Document

No. 62

S. P. 46

In Senate, January 16, 1957.

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

CHESTER T. WINSLOW, Secretary

Presented by Senator Charles of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Transfer of Property in Public Assistance.

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

Sec. 1. R. S., c. 25, § 287, amended. Section 287 of chapter 25 of the Revised Statutes, as amended by section 1 of chapter 99 of the public laws of 1955, is hereby further amended to read as follows:

Sec. 287. Disqualification of applicant and recipient. Any applicant for or recipient of old age assistance, who divests himself directly or indirectly of any property ~~after January 1, 1952~~ without a reasonable consideration ~~or for the purpose of qualifying for such assistance~~ shall forfeit all right to receive assistance under the provisions of section 276 to 297, inclusive, **for a period of 3 years from the date of the property transfer unless the property or its equivalent value is restored to the applicant or recipient.**

~~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, 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 made on the part of each ~~accessible~~ adult child **residing in this State** or spouse of said recipient, and such statements shall include full information regarding individual income, assets and liabilities.

~~Provided, however, if~~ **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, 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 case ~~shall~~ **may** 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 284.'

Sec. 2. R. S., c. 25, § 312, amended. Section 312 of chapter 25 of the Revised Statutes, as amended by section 2 of chapter 99 of the public laws of 1955, is hereby further amended to read as follows:

'Sec. 312. Disqualification of applicant and recipient. Any applicant for or recipient of aid to the blind who divests himself directly or indirectly of any property ~~after January 1, 1952~~ without a reasonable consideration ~~or for the purpose of qualifying for such aid~~ shall forfeit all right to receive aid to the blind under the provisions of sections 298 to 318, inclusive, **for a period of 3 years from the date of the property transfer unless the property or its equivalent value is restored to the applicant or recipient.'**

Sec. 3. R. S. c. 25, § 319-J, amended. Section 319-J of chapter 25 of the Revised Statutes, as enacted by section 30 of chapter 405 of the public laws of 1955, is hereby amended to read as follows:

'Sec. 319-J. Transfer of property prohibited. Any applicant for or recipient of aid to the disabled, who divests himself directly or indirectly of any property ~~after January 1, 1952~~ without a reasonable consideration ~~or for the purpose of qualifying for such aid~~ shall forfeit all right to receive aid under the provisions of sections 319-A to 319-T, inclusive, **for a period of 3 years from the date of the property transfer unless the property or its equivalent value is restored to the applicant or recipient.'**