

MAINE STATE LEGISLATURE

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NINETY - EIGHTH LEGISLATURE

Legislative Document

No. 109

H. P. 83

House of Representatives, January 17, 1957.

Referred to Committee on Welfare. Sent up for concurrence and 750 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Gallant of Eagle Lake.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-SEVEN

AN ACT Relating to Requisites for Old Age Assistance.

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

Sec. 1. R. S., c. 25, § 283, sub-§§ V and VI, repealed. Subsections V and VI of section 283 of chapter 25 of the Revised Statutes are hereby repealed, as follows:

~~'V. Has no spouse residing in this State and able to support him;~~

~~'VI. Has no child or children residing in this State and able to support him;'~~

Sec. 2. R. S., c. 25, § 283, sub-§ VII, renumbered. Subsection VII of section 283 of chapter 25 of the Revised Statutes is hereby renumbered to read subsection V.

Sec. 3. R. S., c. 25, § 287, sub-§ II, repealed. Subsection II of section 287 of the Revised Statutes is hereby repealed, as follows:

~~'II. An individual sworn statement made on the part of each accessible adult child or spouse of said recipient and such statements shall include full information regarding individual income, assets and liabilities.'~~

Sec. 4. R. S., c. 25, § 287, amended. The last paragraph of section 287 of chapter 27 of the Revised Statutes is hereby repealed, as follows:

~~'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, 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 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. 5. R. S., c. 25, § 290; amended. Section 290 of chapter 25 of the Revised Statutes is hereby amended to read as follows:

'Sec. 290. Illegal payments recovered. The department may recover from any child, children or spouse of any beneficiary under the provisions of sections 276 to 297, inclusive, who is able to support the said beneficiary but who fails to provide such support, in an action on the case for the amount expended by the department for the said support. The Department may also recover the amount expended for aid in an action on the case from a recipient or a former recipient who has failed to disclose assets which would have rendered him ineligible had he disclosed the assets. Such actions shall be prosecuted by the Attorney General in the name of the State and the amount recovered shall be credited to the old age assistance fund.'

Sec. 6. R. S., c. 25, § 294, repealed. Section 294 of chapter 25 of the Revised Statutes is hereby repealed.