

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-second and Ninety-third
Legislatures
OF THE
STATE OF MAINE

From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
From May 25, 1945 to May 14, 1947

Published by the Revisor of Statutes in accordance
with Chapter 10 of the Revised Statutes of 1944.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

Sec. 2. R. S., c. 10, repealed. Chapter 10 of the revised statutes is hereby repealed.

Sec. 3. Present research committee continued. The first legislative research committee under the provisions of this act shall be the legislative research committee appointed at the regular session of the 93rd legislature and serving as such on the effective date of this act.

Effective August 13, 1947

Chapter 393

AN ACT Relating to Adoption of Neglected Children.

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

R. S., c. 22, § 239-A, additional. Chapter 22 of the revised statutes is hereby amended by adding thereto a new section to be numbered section 239-A, to read as follows:

'Sec. 239-A. Provisions for the adoption of children committed to the state. The department of health and welfare shall be diligent in seeking opportunities to have children who have been committed to its custody placed with the proper persons for adoption. No child shall be placed for adoption for a period of 6 months next following commitment. During said period of 6 months, or longer if deemed advisable, the department shall note the physical and mental condition of the child. At the end of said period if it appears to the department that the physical and mental condition of the child is normal, the department may place said child for adoption with any of the classes of persons described in section 35 of chapter 145. The department shall not give its consent to the adoption of a child until said child has been for 1 year in the home of the person or persons desirous of adopting said child.'

Effective August 13, 1947

Chapter 394

AN ACT Relating to Old Age Assistance.

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

Sec. 1. R. S., c. 22, § 257, amended. Section 257 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 257. Administration. All moneys made available under the provisions of sections 256 to 274, inclusive, shall be expended under the direction of the department, and the department is empowered to direct the expenditure therefrom of such sums as may be necessary for the purposes of administration. All assistance granted under said sections shall be paid ~~monthly~~ semi-monthly by the state. The department shall make and enforce reasonable rules and regulations governing the custody, use, and preservation of the records, papers, files, and communications of the department. The use of such records, papers, files, and communications by any other agency or department of government to which they may be furnished shall be limited to the purposes for which they are furnished and by the provisions of the law under which they may be furnished.'

Sec. 2. R. S., c. 22, § 271, amended. Section 271 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 271. Liability of relatives to support; procedure. The husband, wife, father, mother, grandparent, child, or grandchild of a recipient of, or an applicant for, public assistance of any nature from the state shall, if of sufficient ability, be responsible for the support of such persons. In determining the ability of such relative, his assets as well as his income shall be considered.

The commissioner is authorized and empowered to bring proceedings in the name of the state of Maine in any court of competent jurisdiction to compel any person liable under the provisions of this section for support to contribute to the support of any person who is receiving, or who has applied and is otherwise eligible for, public assistance. The court shall have power to determine what shall be a fair and reasonable amount for such support and maintenance to be paid by the party adjudged liable, and to determine what amount shall be paid by such party to the department as reimbursement for moneys already furnished to a recipient. If such person is receiving public assistance the court may order that such amount for such support and maintenance be paid to the commissioner for the use of such recipient. The action may be brought in the same manner and form as that provided by section 20 of chapter 82, except that such action may be commenced and acted upon by the court in vacation upon not less than 10 days' notice.'