

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

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

approved school of secondary grade in another state when said school specializes in the correction of physical defects and when by reason of a physical disability the individual requires a specialized type of training available in said school but not obtainable in any approved secondary school in the state of Maine.

Provided, however, that when pupils are sent from one city, town or plantation to an approved secondary school in another, if any accounts for tuition of such pupils are not paid on or before the 1st day of September of that year, the commissioner shall pay such accounts, or so much thereof as he shall find to be rightly due, to the treasurer of the receiving city, town, plantation, academy, institute or seminary at the next regular annual apportionment, together with interest on such accounts at the rate of 6% annually, computed from said 1st day of September, and the commissioner shall charge any such payment against the apportioned fund of the sending city, town or plantation.

When any town shall have been required to pay and has paid board for a youth or youths attending secondary school in accordance with the provisions of section 98, the superintendent of schools of such town shall make a return under oath to the commissioner on a form provided for the purpose before the 1st day of September, annually, for the preceding school year, stating the name and exact residence of each youth for whom board has been paid, the amount paid by the town for each and the name and location of the school which each has attended. Upon the approval of said return, the commissioner shall apportion to such town a sum equal to $\frac{1}{2}$ the amount thus paid by such town but not to exceed \$700 annually for this purpose.'

Effective August 13, 1947

Chapter 402

AN ACT Relating to Applications for Old Age Assistance.

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 by section 1 of chapter 251 of the public laws of 1945, is hereby further amended to read as follows:

'Sec. 260. Old age assistance provided for; applications. 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 deter-

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mined 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 \$40 per month.

Applications for old age assistance under the provisions of this section may be made to either the state or the municipal officers of the cities, towns and plantations in which the applicant resides, in accordance with such regulations as the commissioner of the department shall prescribe. Said applications shall be made on blanks furnished by the department and forwarded by said municipal officers to said department.

An application shall not be considered unless accompanied by an individual sworn statement of inability to support the applicant made on the part of each adult child or spouse of said applicant residing in this state, and such statements shall include full information regarding individual income, assets and liabilities.

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 and after hearing, 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 is hereby 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;'

Sec. 3. R. S., c. 22, § 265, amended. Section 265 of chapter 22 of the revised statutes is hereby amended by adding at the end thereof the following:

'Any recipient of old age assistance shall be disqualified from receiving old age assistance unless he files with the commissioner, on or before January 1, 1948, 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 of inability to support the recipient made on the part of each accessible adult child or spouse of said re-

ipient, and such statements shall include full information regarding individual income, assets and liabilities.

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 and after hearing, 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 recipient under the provisions of section 262.'

Effective August 13, 1947

Chapter 403

AN ACT to Increase State Aid to Towns for the Support of Schools to Establish Minimum Salaries for Teachers.

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

Sec. 1. R. S., c. 37, § 201, amended. Section 201 of chapter 37 of the revised statutes, as amended by section 1 of chapter 151 of the public laws of 1945, is hereby further amended to read as follows:

'Sec. 201. Apportionment to towns for teaching positions. On the basis of information furnished to the commissioner by the return of educational statistics for the year ending July 1st, annually, as provided for by section 64, said commissioner shall apportion:

I. To ~~to~~ each town the sum of \$300 for each teaching position or a corresponding fractional part of \$300 for each fractional part of a teaching position ~~maintained and approved by the commissioner in the elementary and secondary schools of such town, provided, however, that no town failing to maintain the minimum program prescribed in section 204 shall receive over \$100 per teaching position~~ which has been maintained by the town in the elementary and secondary schools with approval of the commissioner of education and filled by a person working under a permit or sanction issued by the said commissioner, provided, however, that a town failing to maintain the minimum program prescribed in chapter 151 of the public laws of 1945, shall not receive in excess of \$100 per teaching position.

II. To each town the sum of not less than \$400 nor more than \$450 for each teaching position, or a corresponding fractional part of not less than \$400 nor more than \$450 for a fractional part of a teaching position which has been maintained by the town in the elementary and