

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Third Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

KENNEBEC JOURNAL

AUGUSTA, MAINE

1967

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Third Legislature
1967

Chapter 477

AN ACT Revising the Laws Relating to Support at State Institutions.

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

Sec. 1. R. S., T. 34, § 2512, amended. Section 2512 of Title 34 of the Revised Statutes, as repealed and replaced by section 2 of chapter 292 of the public laws of 1965, is amended to read as follows:

§ 2512. Persons liable

~~No bills shall be rendered until a determination of ability to pay has been made as provided, except that, in instances wherein the patient or legally liable person agrees to pay the fixed maximum rate, such determination may be limited to a verification by reliable references of the ability of such person to pay the fixed maximum rate.~~ Each patient and the spouse, adult child and parent, jointly and severally, shall be legally liable from the date of admission for the support of any patient committed or otherwise legally admitted to either state hospital for the mentally ill or to the Pineland Hospital and Training Center, except that a parent shall not be legally liable for support unless the patient was wholly or partially dependent for support upon such parent at the time of admission.

No child of a patient shall be liable for any part of such costs for a parent who willfully failed to support such child prior to the child's 18th birthday. Any child claiming such exemption shall be required to furnish the department with clear and convincing evidence substantiating such claim.

Sec. 2. R. S., T. 34, § 2513, amended. The 2nd paragraph of section 2513 of Title 34 of the Revised Statutes is repealed and the following paragraph enacted in place thereof:

In determining ability to pay, the department shall consider in respect of the patient or other person, legally liable for the support of the patient, all income, debts, expenses and obligations, and the number and condition of dependents.

Sec. 3. R. S., T. 34, § 2513, amended. The 4th paragraph of section 2513 of Title 34 of the Revised Statutes, as enacted by section 3 of chapter 292 of the public laws of 1965, is amended by inserting after the first sentence the following new sentences:

Any person failing to obey such subpoena upon petition of the commissioner or representative of the department to any Justice of the Superior Court may be ordered by the justice to appear and show cause for his disobedience of the subpoena. The justice after hearing may order that the subpoena be obeyed, or if it is made to appear to the justice that the subpoena was for any reason inappropriately issued may dismiss the petition. Any person who fails to obey the subpoena when ordered to do so by the justice may be punished as for contempt of court on application to the Superior Court by the commissioner or his representative.