

MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth Legislature

OF THE

STATE OF MAINE

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

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per mile to and from his place of abode as state employees receive, the mileage to be determined by the most reasonable direct route, except that Legislators may be reimbursed for tolls paid for travel on the Maine Turnpike provided they have a receipt for payment of the tolls, such tolls to be reimbursed where Legislators use the Maine Turnpike in traveling to and from sessions of the Legislature or in performance of duly authorized committee assignments.

Effective October 3, 1973

CHAPTER 473

AN ACT to Improve the Efficiency and Fairness of the Local Welfare System.

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

Sec. 1. R. S., T. 22, § 4459-A, additional. Title 22 of the Revised Statutes is amended by adding a new section 4459-A to read as follows:

§ 4459-A. Establishment of rules and regulations

A program for municipal support of the poor under this chapter shall be operated and administered in accordance with written rules and regulations. Such rules and regulations shall include standards of eligibility, governing need and amount of assistance, for the receipt of general assistance. Such rules and regulations shall be available in the town office and otherwise easily accessible to any member of the public. Notice to that effect shall be posted.

Each municipality shall, no later than 90 days from the effective date of this Act, promulgate written standards of eligibility for relief. Such standards shall:

1. Applications. Provide that all individuals wishing to make application for relief shall have opportunity to do so, and that relief shall be furnished, within municipal guidelines, within 24 hours of the date of submission of an application, to all eligible applicants.

Within 6 months after the effective date of this Act, each municipality shall present to the Commissioner of Health and Welfare, for filing, a copy of the rules and regulations. Any amendment or modification of the municipal welfare rules and regulations shall be submitted to the commissioner for filing.

Sec. 2. R. S., T. 22, §§ 4497-4499, additional. Title 22 of the Revised Statutes is amended by adding 3 new sections 4497 to 4499, to read as follows:

§ 4497. Grant, denial, reduction or termination to be communicated in writing; right to a hearing

Any action relative to the grant, denial, reduction, suspension or termination of relief provided under this chapter must be communicated to the appli-

cant or recipient in writing and shall include the specific reason or reasons for such action and shall state that the person affected has a right to a hearing.

§ 4498. Right to pretermination evidentiary hearing

In any instance when it is proposed to terminate, suspend or reduce relief being provided, when it is evident that termination, suspension or reduction of relief is necessary, the recipient shall be given timely and advanced notice detailing the reasons for the proposed action and informing the recipient of his right to request an evidentiary hearing to be held within 2 working days within receipt of the notice by the recipient. Said hearing shall not be held before the person or body proposing the termination, suspension or reduction. The person requesting the hearing shall be afforded the right to confront and cross-examine any witnesses against him, present witnesses in his own behalf and be represented by counsel or other spokesman, and advised of these rights in writing. The decision of such a hearing shall be based solely on evidence adduced at the hearing. The person requesting the hearing shall, within a reasonable time after the hearing, be furnished with a written decision detailing the reasons for such decision. The impending action of termination, suspension or reduction shall not be carried out until the evidentiary hearing has been offered or held, or both, and written notice of the decision has been given.

§ 4499. Right to fair hearing

Any person aggrieved with a decision, act, failure to act or delay in action in regard to his request or application for relief under this chapter shall have the right to a hearing before the overseers or their designated representatives. Such hearing shall conform to the procedures detailed in section 4498. Review of any action or failure to act under this chapter shall be pursuant to Rule 80-B of the Maine Rules of Civil Procedure.

Effective October 3, 1973

CHAPTER 474

AN ACT to Revise the Laws Relating to the Practice of Optometry.

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

Sec. 1. R. S., T. 32, c. 35-A, additional. Title 32 of the Revised Statutes is amended by adding a new chapter 35-A, to read as follows:

CHAPTER 35-A

OPTOMETRISTS

SUBCHAPTER I

GENERAL PROVISIONS

§ 2561. Definitions