

# MAINE STATE LEGISLATURE

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COMMITTEE TO REVIEW THE SETTLEMENT LAWS

Maine

February 9, 1961

To the Honorable Senate and House of Representatives  
One-Hundredth Legislature

I have the honor of submitting herewith the report  
and recommendations of the Committee to Review the  
Settlement Laws, as provided for in Chapter 167 of  
the Private and Special Laws of 1959.

Respectfully,

(Signed)

Bernal B. Allen  
Chairman

FEB 17 1961

REPORT OF SETTLEMENT COMMITTEE  
(Chapter 167 - Private and Special Laws - 1959)  
TO THE ONE-HUNDREDTH LEGISLATURE

The present Settlement Committee, appointed by the Governor as a result of action by the Ninety-Ninth Legislature, owes a great deal to its predecessor committee whose chairman was Mr. Barnett I. Shur. This latter committee, created by Chapter 179 of the Private and Special Laws of 1957, made an extensive report dated February 10, 1959 to the Ninety-Ninth Legislature. The reader is referred to this previous report which provided the basis on which the present committee continued the study of the subject of the settlement laws. The present committee accepted, and adopted as its working basis, the general conclusions and concepts set forth in the 1959 report. The present committee reviewed the data and subject matter of the 1959 report, the records of the meetings and discussions which took place in the preparation of that report, and had the advantage of having in its membership several members of the predecessor committee. The sound work of this preceding committee simplified the task of the present group. The 1959 report recommended that one of three general alternatives was the best solution to the problem, and further recommended that these three alternatives be given further study to determine which was the best one. The present committee has followed these recommendations. The three suggested alternatives were:

- (1) State administration of general relief with settlement abolished.
- (2) Local administration of general relief with substitution of a residence requirement in place of the present settlement laws, and State participation in the financing.
- (3) Removal of certain people from, and certain types of needs to be provided for, from general relief responsibilities, and abolishing settlement requirements and pauper status in these instances as is done in the public assistance groups.

After due consideration, the last alternative seemed to be the best one to pursue in detail. The group of people applying for general relief for medical care needs only appeared to be large enough so that their removal from the general relief program would greatly simplify the administration of settlement and pauper laws by significantly decreasing the number of instances in which these laws would have to be considered in providing for people's needs. The unpredictable and potentially catastrophic liability faced by towns in financing general relief medical care with present day costs and trends was a part of the committee considerations. The necessity for assuring the availability of good care to those who need it, and the probability of some Federal action in this area were two other factors involved in the committee decision to explore in detail this means of discharging its responsibility.

The committee held six formal meetings. Minutes of these meetings and the data presented to the committee, or discussed by it, are on file. The committee voted to make two recommendations to the One-Hundredth Legislature, as follows:

- (1) Legislation should be introduced to establish a State administered program which would provide needed hospitalization for the medically indigent, the general relief, and the public assistance recipient. This legislation should provide that nursing home care and essential general medical care should be included in the program as funds are made available. It should be financed from State, or State and Federal funds, if the latter become available, and should be financed to pay equitable rates to vendors of services and goods.
- (2) A furthersimplification of the administration and application of the settlement laws, with the consequent elimination of areas of

State and local conflict, and the relatively fruitless expenditure of time by both State and municipal officials, would be achieved by eliminating the municipal participation in the financing of Aid to Dependent Children, or at least eliminating settlement as the basis on which such charges are made. Removal of the municipal liability on a graduated scale is recommended.

Legislative proposals incorporating these recommendations will be prepared. The committee considers that only part of its task has been completed; therefore, it strongly recommends the continuation of the committee for another biennium. There is further technical work that can advantageously be done to simplify the complex settlement laws, and further recommendations for simplifications will be the basis of another report to the One-Hundred-and-First Legislature. The anticipated unexpended June 30th balance from the funds presently available will be sufficient for the work of the committee for another biennium.

The committee members are glad to have had this opportunity for service.

Bernal B. Allen, Chairman  
Fred C. Greaves  
Ralph F. W. Eye  
Robert Baillargeon  
John T. Barry  
James T. Dudley  
Wilbur H. Harris  
Carl M. P. Larrabee  
George C. West  
Murray W. Thurston  
Jay E. Alley  
Norman K. Ferguson  
Dean Fisher, M.D.  
Paul D. McClay  
Dana Thompson

Footnote:

The names of all committee members appear on this report including several who have resigned and been replaced by others.