

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the One Hundredth Legislature

1961

'Every corporation organized under the provisions of the preceding sections 1 to 4 may take and hold by purchase, gift, devise or bequest, personal or real estate, in all not exceeding in value \$500,000 or in any one town 10% of that town's state valuation, whichever is lower, owned at any one time, and may use and dispose thereof only for the purposes for which the corporation was organized. ~~Provided, however, that any~~ Any corporation organized under the provisions of this chapter for the purpose of establishing and maintaining a hospital, a free public library or a school or academy accredited by the Department of Education and conducted on a nonprofit basis, or a laboratory exclusively engaged in research for the benefit of mankind, or an educational television or radio station operated on a nonprofit basis, or a private vocational school conducted on a nonprofit basis may receive and hold real and personal estate to any amount, which may from time to time be given, granted, bequeathed or devised to it and accepted by the corporation for the uses and purposes of said hospital, free public library, school or academy ~~or~~, laboratory, or educational television or radio station provided always ~~that~~ both the principal and income thereof shall be appropriated according to the terms of the donation, devise or bequest.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

Effective June 17, 1961

Chapter 381

AN ACT Relating to Allocation of Funds for Purchase of Real Estate by State.

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

R. S., c. 15-A, § 20, amended. The 3rd paragraph of section 20 of chapter 15-A of the Revised Statutes, as enacted by section 10 of chapter 429 of the public laws of 1957, is amended to read as follows:

'The Governor and Council may allocate from the Unappropriated Surplus amounts not to exceed ~~\$500,000~~ \$700,000 for the purchase of real estate adjacent to the State House in accordance with section ~~24 A~~ of chapter 1, section 24-A.'

Effective September 16, 1961

Chapter 382

AN ACT to Provide Schooling for Non-Indian Children Living on Indian Reservations.

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

Sec. 1. R. S., c. 41, § 159-A, additional. Chapter 41 of the Revised Statutes is amended by adding thereto a new section, to be numbered 159-A, to read as follows:

'Sec. 159-A. Non-Indian children living on Indian reservations. Non-Indian children, children with less than $\frac{1}{4}$ part of Indian blood, who reside with parent or guardian on an Indian reservation shall be entitled to school privileges as described in sections 160 and 161, notwithstanding that these children do not reside in unorganized territory.'

Sec. 2. Appropriation. In order to provide funds necessary to carry out this section and to pay the City of Old Town for schooling provided for these children in 1958-59 in the amount of \$194.30 and in 1959-60 in the amount of \$2,208.49, there is appropriated to the Department of Education from the General Fund, out of any funds not otherwise appropriated, the following amounts:

	1961-62	1962-63
EDUCATION, DEPARTMENT OF		
All Other	\$7,125.37	\$3,275

Effective September 16, 1961

Chapter 383

AN ACT Creating a Lien on Real Property of Beneficiaries of Old Age Assistance, Aid to the Blind and Aid to the Disabled.

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

Sec. 1. R. S., c. 25, § 294-A, additional. Chapter 25 of the Revised Statutes is amended by adding a new section to be numbered 294-A, to read as follows:

'Sec. 294-A. Lien on real property created. The commissioner may place a lien against any interest in real property owned by a beneficiary to secure the claim of the State for all amounts which it has paid or may thereafter pay to him or in his behalf under sections 276 to 297.

A notice of the granting of old age assistance and the claiming of a lien shall be recorded in the registry of deeds in the county where the real property is located and shall constitute a lien upon all real property in the county owned by the beneficiary. Said lien shall have priority over all unrecorded deeds or encumbrances and deeds recorded subsequent thereto. The lien shall not be enforceable prior to the death of the beneficiary. The lien may be discharged during the lifetime of the beneficiary upon voluntary payment to the State of the amount of assistance received by the beneficiary but not in excess of the value of the beneficiary's interest in the real property. After the death of the beneficiary the lien shall be discharged when the claim of the State is paid or the estate of the beneficiary is settled as set forth in section 295. Said lien as herein provided, however, upon the death of the beneficiary shall not have priority over such last expenses and expenses of administration as are approved by the probate court or over taxes due the municipality. Nothing in this section shall affect the existing priority of mechanics' and materialmen's liens and municipal tax liens.'

Sec. 2. R. S., c. 25, § 312-A, additional. Chapter 25 of the Revised Statutes is amended by adding a new section to be numbered 312-A, to read as follows:

'Sec. 312-A. Lien on real property created. The commissioner may place a lien against any interest in real property owned by a beneficiary to secure the