

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

'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

claim of the State for all amounts which it has paid or may thereafter pay to him or in his behalf under sections 298 to 318.

A notice of the granting of aid to the blind 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 aid 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 313. 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. 3. R. S., c. 25, § 319-P-1, additional. Chapter 25 of the Revised Statutes is amended by adding a new section to be numbered 319-P-1, to read as follows:

'Sec. 319-P-1. 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 319-A to 319-T.

A notice of the granting of aid to the disabled 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 aid 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 319-Q. 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.'

Effective September 16, 1961

Chapter 384

AN ACT Relating to Second Injury Fund and Vocational Rehabilitation under Workmen's Compensation Act.

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

Sec. 1. R. S., c. 31, § 9, amended. Section 9 of chapter 31 of the Revised Statutes, as amended by chapter 289 of the public laws of 1959, is further amended by adding after the 2nd paragraph a new paragraph to read as follows: