

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
108TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "B " to H.P. 1956, L.D. 2038, Bill,
"AN ACT to Provide Transition Provisions Covering the Recent
Amendments to Article 9 of the Uniform Commercial Code."

Amend the Bill by inserting at the end before the emergency
clause the following:

'§10-109. Place of filing

this Article

← Notwithstanding any other provision of / or in public law,
1977, chapter 526, on and before June 30, 1978, section 9-401-A,
subsection (1) shall read as follows.

(1) The proper place to file an order to perfect a security
is
interest/as follows:

(a) When the collateral is consumer goods, in the office
of the clerk of the municipality of the debtor's residence
unless the debtor:

(i) Is not a resident of this State; or

(ii) Is a resident of an unorganized place, then in
the Office of the Secretary of State;

(b) When the collateral is timber to be cut or is minerals
or the like, including oil and gas, or accounts subject
to section 9-103-A, subsection (5), or is crops growing
or to be grown, or when the financing statement is filed
as a fixture filing, section 9-313, and the collateral is
goods which are or are to become fixtures, then in the
office where a mortgage on the real estate concerned would

Senate Amendment "B" to H.P. 1956, L.D. 2038

-2-

be filed or recorded; and / ,

(c) In all other cases, in the Office of the Secretary of State.

(2) Within 15 days after the effective date of this Act, the original copy of all agreements relating to security interests in consumer goods filed in the Office of the Secretary of State between December 31, 1977, and the effective date of this Act shall be transmitted by the Secretary of State to the office of the clerk of the municipality of the debtor's residence unless the debtor is not a resident of this State or a resident of an unorganized place.

(3) On July 1, 1978, and thereafter, section 9-401-A, subsection(1) shall read as follows.

(a) The proper place to file in order to perfect a security interest is as follows:

(i) When the collateral is timber to be cut or is minerals or the like, including oil and gas, or accounts subject to section 9-103-A, subsection (5), or is crops growing or to be grown, or when the financing statement is filed as a fixture filing, section 9-313, and the collateral is goods which are or are to become fixtures, then in the office where a mortgage on the real estate concerned would be filed or recorded; and

(ii) In all other cases, in the Office of the Secretary of State.'

Statement of Fact

This amendment basically provides that filings to perfect security interests in consumer goods are filed as follows:

1. Before July 1, 1978, in the municipality of the debtor's residence, unless the debtor is not a resident of the State or is a resident of a plantation, in which case the filing is in the Office of the Secretary of State; and

2. After July 1, 1978, in the Office of the Secretary of State.

(Merrill)
NAME:

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COUNTY: Cumberland

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January 16, 1978

(Filing No. S-431)