

MAINE STATE LEGISLATURE

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N I N E T Y - F I F T H L E G I S L A T U R E

Legislative Document

No. 327

S. P. 153

In Senate, February 1, 1951

Referred to the Committee on Agriculture. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary

Presented by Senator Brewer of Aroostook.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-ONE

**AN ACT Relating to the Assets of The Farm Rehabilitation Corporation
of Maine.**

Emergency preamble. Whereas, there is a continuing need for agricultural credit in the state of Maine not available from private credit sources; and

Whereas, the United States Department of Agriculture makes operating and farm ownership loans to eligible farmers who are unable to otherwise readily obtain credit from private sources; and

Whereas, funds allocated to the state of Maine from those made available to the United States Department of Agriculture for such purposes are inadequate to meet the credit needs of farmers in this state; and

Whereas, the Rural Rehabilitation Corporation Trust Liquidation Act enacted by the 81st Congress of the United States (Public Law 499, approved May 3, 1850), provides a means whereby the assets of the now excused The Farm Rehabilitation Corporation of Maine could be made available for the aforesaid purposes in the state of Maine; and

Whereas, in the judgment of the legislature these facts create an emergency within the meaning of the constitution of Maine and require the

following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Commissioner to apply for return of assets. The commissioner of agriculture is hereby designated as the state official of the state of Maine to make application to and receive from the secretary of agriculture of the United States, or any other proper federal official, pursuant and subject to the provisions of Public Law 499, 81st Congress, approved May 3, 1950, the trust assets, either funds or property, held by the United States as trustee in behalf of The Farm Rehabilitation Corporation of Maine.

Sec. 2. Commissioner may make agreements with United States. The commissioner of agriculture is authorized, in his discretion, to enter into agreements with the secretary of agriculture of the United States pursuant to section 2(f) of the aforesaid act of the congress of the United States, upon such terms and conditions and for such periods of time as may be mutually agreeable, authorizing the secretary of agriculture of the United States to accept, administer, expand and use in the state of Maine all or any part of such trust assets or any other funds of the state of Maine which may be appropriated for such uses for carrying out the purposes of Titles I and II of the Bankhead-Jones Farm Tenant Act, in accordance with the applicable provisions of Title IV thereof, as now or hereafter amended, and to do any and all things necessary to effectuate and carry out the purposes of said agreements.

Sec. 3. Deposit of and use of funds. Notwithstanding any other provisions of law, funds and the proceeds of the trust assets which are not authorized to be administered by the secretary of agriculture of the United States under the provisions of section 2 of this act shall be received by the commissioner of agriculture under the application made pursuant to section 1 of this act and by him paid into the state treasury and carried in a separate account for use by the commissioner for such of the rural rehabilitation purposes permissible under the charter of the now excused The Farm Rehabilitation Corporation of Maine as may from time to time be agreed upon by the commissioner of agriculture and the secretary of agriculture of the United States subject to the applicable provisions of said Public Law 499, or for the purposes of section 2 of this act.

Sec. 4. Compromise, adjustment and cancellation of claims. The commissioner of agriculture is authorized and empowered to:

I. Collect, compromise, adjust or cancel claims and obligations arising out of or administered under the provisions of this act or under any mortgage, lease, contract or agreement entered into or administered pursuant to this act and, if in his judgment, necessary and advisable, pursue the same to final collection in any court having jurisdiction;

II. Bid for and purchase at any execution, foreclosure or other sale, or otherwise to acquire property upon which the secretary has a lien by reason of a judgment or execution, or which is pledged, mortgaged, conveyed or which otherwise secures any loan or other indebtedness owing to or acquired by the secretary under the provisions of this act; and

III. Accept title to any property so purchased or acquired; to operate or lease such property for such period as may be deemed necessary to protect the investment therein; and to sell or otherwise dispose of such property in a manner consistent with the provisions of this act.

The authority herein contained may be delegated to the secretary of agriculture of the United States with respect to funds or assets authorized to be administered and used by him under agreements entered into pursuant to section 2 of this act.

Sec. 5. United States held harmless. The United States and the secretary of agriculture thereof, shall be held free from liability by virtue of the transfer of the assets to the commissioner of agriculture of the state of Maine pursuant to this act.

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