

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1969

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
ONE HUNDRED AND FOURTH LEGISLATURE
1969

and allowed for libel shall be the same as provided in Title 12, section 3101.

§ 2165. Injunctions against violation

Whenever it appears that any person is violating or threatening to violate any provision of this Act, or any rule, regulation or order of the bureau, the bureau may seek an injunction against such person in the Superior Court of the county in which the office of the bureau is located or of any county where the violation occurs or is threatened, or in the county in which the defendant resides or in which any defendant resides if there is more than one defendant, to restrain such person from continuing such violation or from carrying out the threat of violation. In any such action, the court shall have jurisdiction to grant to the bureau, without bond or other undertaking, such prohibitory or mandatory injunctions as the facts may warrant, including temporary restraining orders and preliminary injunctions.

§ 2166. Judicial review

Any person aggrieved by any order or decision of the bureau acting under this Act may, within 30 days after notice of such order or decision, appeal therefrom to the Superior Court. Notice of the appeal shall be ordered by the court without a jury in the manner and with the rights provided by law in other civil actions so heard. The court shall receive in evidence in any proceedings hereunder a transcript of the proceedings before the bureau and a copy of the bureau's order or decision and shall receive such further evidence as the court in its discretion deems proper. The court shall have jurisdiction to enter such judgment, and orders enforcing such judgment, as the public interest and the equities of the case may require.

Effective October 1, 1969

Chapter 302

AN ACT Relating to Financing Statements Under the Uniform Commercial Code.

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

Sec. 1. R. S., T. 11, § 9-401, sub-§ (1), repealed and replaced. Subsection (1) of section 9-401 of Title 11 of the Revised Statutes is repealed and the following enacted in place thereof:

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

(a) When the collateral is consumer goods, then 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 goods, which at the time the security interest attaches are or are to become fixtures, or crops which are growing or are to be grown, then in the office of the register of deeds in which a mortgage on the real estate concerned would be recorded;

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

Sec. 2. R. S., T. 11, § 9-407, sub-§ (2), repealed and replaced. Subsection (2) of section 9-407 of Title 11 of the Revised Statutes is repealed and the following enacted in place thereof:

(2) Upon the request of any person, the Secretary of State or the register of deeds shall issue his certificate of information, in such form as the Secretary of State may approve, showing whether there is on file on the date and hour stated therein any presently effective financing statement naming a particular debtor and any statement of assignment thereof and if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The fee for such a certificate shall be \$2 for the first page of such certificate, plus 50¢ for each additional page. Upon request the filing officer shall furnish a copy of any filed financing statement, continuation statement, termination statement, statement of assignment or statement of release for a fee of \$1 and if any such statement consists of more than 3 pages, an additional fee of 50¢ for the 4th and each succeeding page.

Effective October 1, 1969

Chapter 303

AN ACT Reducing the Population Requirement from the Revenue Producing Municipal Facilities.

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

R. S., T. 30, § 4252, sub-§ 1, amended. The first sentence of subsection 1 of section 4252 of Title 30 of the Revised Statutes, as repealed and replaced by section 5 of chapter 429 of the public laws of 1967, is amended to read as follows:

The municipal officers of any municipality with a population of ~~2,500~~ 1,000 or more according to the most recent Federal Census ~~is~~ are authorized to provide by resolution, at one time or from time to time, for the issuance of revenue bonds of the municipality for the purpose of paying the cost of acquiring, constructing, reconstructing, improving, extending, enlarging or equipping any revenue producing municipal facility, provided no revenue bonds of a town, as distinguished from a city, shall be issued until the general purpose for which the bonds are to be issued and the maximum principal amount of such bonds to be authorized have been approved by ballot by a majority of the votes cast on the question and the number of votes cast is at least 20% of the total vote for all candidates for Governor cast in the municipality at the last gubernatorial election.

Effective October 1, 1969