

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
THIRD SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1986-87

MAINE STATE RETIREMENT SYSTEM

All Other \$14,016

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved, except that section 2 shall be retroactive to July 16, 1986.

Effective October 24, 1986, unless otherwise indicated.

**CHAPTER 824**

H.P. 1775 - L.D. 2452

AN ACT to Protect Security Interests in Farm Products so as to Provide for Continued Financing of Farm Operations.

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, provisions of the United States Food Security Act of 1985, Public Law 99-198, Section 1324, provide for the Secretary of State of every state to establish and operate a central filing system for the recording of notices of security interests in farm products; and

Whereas, in the absence of such a central state filing system which meets the criteria of the United States Food Security Act of 1985, Public Law 99-198, Section 1324, federal law provides that security interests in farm products cannot be protected or effective as to dealers or others in the business of purchasing those products unless lenders give direct notice of their security interests to all such buyers; and

Whereas, agricultural lenders in Maine have indicated their strong preference for a central filing system over direct notice; and

Whereas, if Maine fails to provide the central filing system contemplated by this federal law, the availability of farm financing in this State will be jeopardized; and

Whereas, since the federal law becomes effective in December 1986, immediate action is required by the Secretary of State in order to develop, operate and implement the central filing system; and

Whereas, the appropriation provided in this Act will allow the Secretary of State to develop, operate and implement the required system for security interests in farm products in conjunction with needed efforts to computerize and modernize the Secretary of State's system for recording other UCC financing statements; 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. 5 MRSA §90 is enacted to read:

§90. Central filing system for security interests in farm products

The Secretary of State may establish and operate a central filing system to record and provide notice of financing statements evidencing security interests in farm products. For this purpose, the Secretary of State may adopt rules, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II, establish procedures and adopt a schedule of fees in conjunction with filing, registering, providing notices and other services performed by the Secretary of State in carrying out this section.

This section is repealed on February 1, 1987.

Sec. 2. 11 MRSA §9-401, sub-§1, ¶(a-1) is enacted to read:

(a-1.) When the collateral is farm products, a filing may be made with the Secretary of State in

accordance with procedures adopted under Title 5, section 90. This paragraph is repealed on February 1, 1987.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purpose of this Act.

1986-87

SECRETARY OF STATE

All Other	\$3,000
Operation of a central filing system for financing statements and other notices required to protect security interests.	

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

Effective October 24, 1986.

## CHAPTER 825

H.P. 1774 - L.D. 2451

### AN ACT Amending the Community Industrial Buildings Program Law.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Community Industrial Buildings (CIB) Program contains a restriction that prohibits the construction of CIB buildings in a county with an unoccupied CIB building; and

Whereas, county lines are not realistic boundaries of different economies; and

Whereas, the municipalities bear the responsibility for the repayment of these industrial buildings which takes the burden off the State; and