

# MAINE STATE LEGISLATURE

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(EMERGENCY)  
(New Title)  
New Draft of: H. P. 1458, L. D. 1901  
FIRST SPECIAL SESSION

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ONE HUNDRED AND FIFTH LEGISLATURE

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**Legislative Document**

**No. 2019**

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H. P. 1559 House of Representatives, January 28, 1972  
Reported by Mr. Trask from Committee on Business Legislation. Printed  
under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-TWO

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**AN ACT to Revise Certain Laws Relating to Banks.**

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

Whereas, many of the banks in Maine utilize the services of many banks in Massachusetts and New York as correspondent banks; and

Whereas, all of the above correspondent banks and all of the Federal Reserve Banks throughout this country are closed on Columbus Day; and

Whereas, substantial problems are created concerning the transfer of funds, servicing of notes, and the maintaining of reserves when Maine banks are open to receive deposits and transfer funds while their correspondent banks and the Federal Reserve Banks are closed; 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. R. S., T. 9, § 131, amended.** The first sentence of section 131 of Title 9 of the Revised Statutes, as amended, is further amended to read as follows:

Any day of public thanksgiving, mourning or disaster, proclaimed or appointed by the Governor or by the President of the United States, the first

day of January, Washington's Birthday, the 3rd Monday in February, Patriot's Day, the 3rd Monday in April, Memorial Day, the last Monday in May, the 4th day of July, Labor Day, the first Monday of September, **Columbus Day, the 2nd Monday in October**, Veterans Day, the 4th Monday in October, and the 25th day of December are declared to be bank holidays.

**Sec. 2. R. S., T. 9, § 441, sub-§ 8, additional.** Section 441 of Title 9 of the Revised Statutes is amended by adding a new subsection 8 to read as follows:

**8. Change of name.** A savings bank may, subject to the approval of the Bank Commissioner, change its name by vote of its incorporators or, if its bylaws authorize a change of bylaws by the board of trustees, by vote of its trustees. Duplicate certificates containing copy of the vote to change name shall be submitted to the Bank Commissioner within 10 days, who shall endorse upon each certificate over his official signature, the word "Approved" or "Disapproved" as the case may be, and shall forthwith notify the savings bank. In the case of approval, one of the duplicate certificates shall be filed by the commissioner in his own office, another with the Secretary of State. The amendment shall take effect upon filing of the approved certificate in the office of the Secretary of State provided that it shall take effect upon a fixed date subsequent thereto, if so provided in the adopting vote. No savings banks shall, however, change to a name which is the same or deceptively similar to the name of any financial institution existing under the laws of this State.

**Sec. 3. R. S., T. 9, § 561, sub-§ 1, ¶ H, amended.** Paragraph H of subsection 1 of section 561 of Title 9 of the Revised Statutes, as enacted by section 1 of chapter 60 of the public laws of 1971, is amended to read as follows:

**H.** A savings bank may make loans secured by a first mortgage of real estate in an amount not exceeding ~~90%~~ 95% of its appraisal of the market value, if at least the top 20% of the loan is insured by a mortgage guaranty insurer licensed to do business in this State.

**Sec. 4. R. S., T. 9, § 572, repealed and replaced.** Section 572 of Title 9 of the Revised Statutes, as enacted by section 3 of chapter 441 of the public laws of 1971, is repealed and the following enacted in place thereof:

**§ 572. Mobile home loans**

**1. Loans.** A savings bank may make a loan secured by a security interest in a mobile home up to the value of the security on such terms as its board of trustees may determine, except that loans to dealers in mobile homes for inventory financing shall be limited to the manufacturer's invoice price of each new mobile home including any installed equipment and that loans made to other than dealers in mobile homes shall be amortized on a regular basis.

**2. —limitation.** Not more than 5% of the deposits of a bank shall be loaned within the coverage of this section.

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