

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 159

H. P. 136

House of Representatives, January 11, 1973

Referred to the Committee on Business Legislation. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Soulas of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Manner of Transferring Investment Securities under
Uniform Commercial Code.

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

R. S., T. 11, § 8-102, sub-§ 3, amended. Subsection 3 of section 8-102 of Title 11 of the Revised Statutes is amended to read as follows:

(3) A "clearing corporation" is a corporation ~~all of the capital stock of which is held by or for a national securities exchange or association registered under a statute of the United States such as the Securities Exchange Act of 1934~~

(a) At least 90% of the capital stock of which is held by or for one or more persons, other than individuals, each of whom

(i) Is subject to supervision or regulation pursuant to the provisions of federal or state banking laws or state insurance laws, or

(ii) Is a broker or dealer or investment company registered under the Securities Exchange Act of 1934 or the Investment Company Act of 1940, or

(iii) Is a national securities exchange or association registered under a statute of the United States such as the Securities Exchange Act of 1934, and none of whom, other than a national securities exchange or association, holds in excess of 20% of the capital stock of such corporation; and

(b) Any remaining capital stock of which is held by individuals who have purchased such capital stock at or prior to the time of their taking office as directors of such corporation and who have purchased only so much of

such capital stock as may be necessary to permit them to qualify as such directors.

STATEMENT OF FACT

This Act simply defines a "Clearing Corporation".