

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES (Filing No. H-327)  
110TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H. P. 998, L. D. 1221, Bill, "AN ACT to Simplify the Requirements for the Granting of Permission to Additonal Institutions to Use Established Satellite Facilities."

Amend the bill in section 4 by striking out everything after the amending clause and inserting in its place the following:

'4. Use of established facilities by additional institution. Established facilities may be used by additional institutions as follows.

A. Any satellite facility under this chapter shall be made available for use by other financial institutions authorized to do business in this State. Any institution seeking use or discontinuation of use of a satellite facility established under this chapter or comparable facility established under federal law shall obtain prior approval of the superintendent, pursuant to ←→ paragraphs B, C and D for such use or discontinuation; and provided ←—— that any institution receiving permission to use such facility shall share in the cost thereof.

B. Approval to participate in or discontinue the use of a satellite facility established under this chapter or a comparable facility established under federal law, if any other financial institution has previously been granted

authority to use the facility, shall be requested by the financial institution by the filing of a notice with the superintendent in such form and manner and containing such information as the superintendent may require at least 30 days prior to commencement or discontinuation of that use. A single notification may be filed by more than one institution seeking approval with respect to the same facility or facilities, and a single notification may be filed covering more than one facility. The superintendent may ----->  
establish fees to accompany notification under this subsection. Section 336, subsection 3, shall govern the establishment, credit and use of these fees. If the superintendent objects to a notification filed under this subsection, he shall, within 14 days of receipt of the notification, inform the financial institution involved that the notification will be treated as though it were an application filed under paragraph C.

C. Initial approval for a financial institution to participate in the use of a facility established under federal law shall be requested by the institution by filing an application with the superintendent in such form and manner and containing such information as the superintendent requires. <----->The superintendent

may ~~←~~ ~~→~~ develop an application process which permits the filing of an application, to be supplemented at the request of the superintendent, and a fee which may be supplemented in the event of a hearing. A single application may be filed by more than one institution seeking approval with respect to the same facility or facilities, and a single application may be filed covering more than one facility. Except as otherwise provided <sup>in this subsection</sup> / , section 336, subsection 3, governs the establishment, credit and use of fees for application.

D. The superintendent shall approve or disapprove an application filed pursuant to paragraph C or a notification filed pursuant to paragraph B and deemed by the superintendent to be governed by paragraph C in accordance with the requirements of section 252. The superintendent may condition approval of an application or notification to conform with the criteria ~~←~~ ~~→~~ set forth in section 253 or, in the event there is no hearing under section 252, those criteria set forth in section 253 to the extent the superintendent deems such criteria relevant.

E. The superintendent shall not approve the establishment of any satellite facility or the use by any financial institution of any satellite facility or comparable facility established under federal law, unless the superintendent finds that all financial institutions using the facility will have equal access to the facility. Indetermining whether equal access to a

← \_\_\_\_\_ facility  
exists, the superintendent shall consider factors,  
including, but not limited to Area for promotional  
displays, banking services to be rendered and, after  
the first 90 days of operation of the facility,  
staffing arrangements.

Statement of Fact

The purpose of this amendment is to allow a state bank, upon notification to the superintendent, access to a satellite facility or a comparable facility established under federal law, if a state bank has previously been authorized access to the facility, unless the superintendent objects to such access by the state bank. The amendment also requires that all banks using the facility have equal access to the facility.

Reported by the Committee on Business Legislation.  
Reproduced and distributed under the direction of the Clerk  
of the House.

5/7/81

(Filing No. H-327)