

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

5 Legislative Document

No. 1159

7 H.P. 818

House of Representatives, March 28, 1985

8 On motion of Representative Brannigan of Portland, referred to the  
9 Committee on Business and Commerce. Sent up for concurrence and ordered  
printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Greenlaw of Standish.

11 Cosponsored by Representative Smith of Island Falls.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

17 AN ACT Concerning Demand Deposit Accounts.  
18

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

21 9-B MRSA §423-A is enacted to read:

22 §423-A. Reservation of funds in demand deposit ac-  
23 counts

24 Prior to July 1, 1986, any financial institution  
25 which accepts demand deposits or demand deposit ac-  
26 counts shall operate a 24-hour, toll free telephone  
27 line by means of which persons may inquire as to the  
28 sufficiency of funds in any account in the financial  
29 institution and, if sufficient funds are available in  
30 the account, may reserve funds in that account prior  
31 to accepting any check or negotiable instrument drawn  
32 on that account. Prior to the reservation of funds,  
33 the financial institution shall verify the reserva-  
34 tion and shall assign a number or other means of  
35 identification to that check or negotiable instrument

1 certifying that funds have been reserved. The finan-  
2 cial institution shall record all such reservations,  
3 verifications and certifications of funds and shall  
4 be liable for payment of all such checks and negotia-  
5 ble instruments for which funds were reserved.

6 The superintendent shall, in accordance with the  
7 Maine Administrative Procedure Act, Title 5, chapter  
8 375, promulgate rules and establish procedures to  
9 carry out this section.

10 STATEMENT OF FACT

11 The purpose of this bill is to require that fi-  
12 nancial institutions establish clearinghouses by  
13 which persons who accept checks or negotiable instru-  
14 ments may verify that sufficient funds exist to cover  
15 the check or instrument and may reserve funds for  
16 payment prior to accepting the check or instrument.

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