

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1394

6
7 H.P. 972

House of Representatives, April 25, 1985

8 Submitted by the Department of Business, Occupational and Professional
9 Regulation pursuant to Joint Rule 24.

10 Reference to the Committee on Business and Commerce suggested and
ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Cooper of Windham.

11 Cosponsored by Senator Diamond of Cumberland.

12 STATE OF MAINE
13

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

17 AN ACT to Modify the Voting Procedure for the
18 Conversion of a Mutual Financial
19 Institution to a Stock Form of
20 Ownership.
21

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

24 9-B MRSA §344, sub-§3, as repealed and replaced
25 by PL 1981, c. 553, §1, is amended to read:

26 3. Account holder approval. The conversion
27 plan, as approved by the superintendent, shall be
28 submitted to the members ~~of~~ who are eligible account
29 holders of the financial institution for their ap-
30 proval at an annual meeting or at a special meeting
31 called for that purpose, pursuant to the requirements
32 of section 353, subsection 3, with such information
33 in the notice as the superintendent may prescribe. A
34 2/3 vote of the members or eligible account holders
35 is necessary to approve the conversion plan. Voting
36 on the conversion plan may be in person or by written

1 ballot. Any members or eligible account holders not
2 present at such the meeting in person or any member
3 or eligible account holder not returning a written
4 ballot shall be regarded as having affirmatively
5 voted for the conversion and shall be counted among
6 the required 2/3 vote; provided that notice of this
7 fact shall have been contained in the published and
8 mailed notices; and provided further that such the
9 notice, along with a ballot, was mailed to the member
10 or eligible account holder as required in section
11 353, subsection 3, paragraph A. The voting rights of
12 account holders in a mutual savings bank or trust
13 company shall be the same as granted to members of a
14 mutual savings and loan association pursuant to sec-
15 tion 325.

16 STATEMENT OF FACT

17 Two of Maine's thrift institutions have completed
18 conversion from mutual to stock form of ownership.
19 During the conversion process, it became apparent
20 that there is some public concern about the lack of
21 provision for negative response via the mail in the
22 vote on the conversion plan. This bill provides for
23 a ballot to be mailed to each eligible account holder
24 with the return of the ballot to be counted either
25 for or against the conversion plan.

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