

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1727

6
7 H.P. 1219

House of Representatives, December 24, 1985

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

9 Received by the Clerk of the House on December 24, 1985. Referred to
the Committee on Business and Commerce and 1,600 ordered printed
10 pursuant to Joint Rule 14.

EDWIN H. PERT, Clerk

Presented by Representative Martin of Van Buren.

11 Cosponsored by Representative Simpson of Casco, Representative
Rotondi of Athens and Senator Matthews of Kennebec.

12 STATE OF MAINE
13

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

17 AN ACT to Permit Mobile Banking in Rural
18 Maine.
19

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

22 9-B MRSa §339, as amended by PL 1979, c. 429, §8,
23 is further amended to read:

24 §339. Mobile branches

25 1. Mobile branches. Nothing contained in this
26 Title shall be construed as permitting a financial
27 institution to establish or operate a mobile branch
28 office or facility, as defined in section 131, and
29 operation of such a branch by a financial institution
30 is expressly prohibited by this section. In addition
31 to permanent branches or agencies established pursu-
32 ant to this chapter, a financial institution may es-
33 tablish and operate one or more mobile branches, as
34 defined in section 131, subject to the approval of
35 the superintendent. Application for mobile branches

1 must be made in accordance with this chapter and
2 shall contain such information as the superintendent
3 requires with regard to additional security measures
4 essential to maintaining a mobile unit. The superin-
5 tendent may promulgate regulations regarding the op-
6 eration of a mobile unit. The use of a bank employee
7 to transport deposits from an elementary or secondary
8 school to a financial institution or the use of a
9 bonded carrier to transport a commercial deposit from
10 a customer's place of business, a state department or
11 agency or a subdivision of the State to an office of
12 a financial institution, whether paid for by the cus-
13 tomers or the financial institution, shall not be con-
14 strued as the establishment or operation of a mobile
15 branch. In the event a bonded carrier is used to
16 transport deposits from a customer's place of busi-
17 ness to a financial institution the messenger shall
18 be considered the agent of the customer rather than
19 of the bank. Deposits collected under this arrange-
20 ment shall not be considered to have been received by
21 the bank until they are actually delivered to the
22 teller at the bank's premises.

23 2. Branches in other States.

24 A. Nothing contained in this Title ~~shall~~ may be
25 construed as permitting a financial institution
26 to establish a branch office or facility in any
27 state other than the State of Maine, and no fi-
28 nancial institution not authorized to do business
29 in this State ~~shall~~ may establish or operate a
30 branch office or facility in the State of Maine.

31 B. The operation of such a branch office or fa-
32 cility by such financial institution or institu-
33 tions is expressly prohibited by this section.

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STATEMENT OF FACT

2 Financial institutions in Maine are continually
3 being pressured by the effects of deregulation to an-
4alyze their cost of operation and depress overhead
5 expenditures. To this extent, we are aware that many
6 financial institutions are realigning branching sys-
7 tems with some unprofitable facilities being closed.
8 This trend is expected to continue. The mobile
9 branch is a way to provide banking services to those
10 outlying communities which do not transact sufficient
11 business to support a full-time facility.

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