

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(New Draft of H.P. 1219, L.D. 1727)
SECOND REGULAR SESSION

ONE HUNDRED AND TWELFTH LEGISLATURE

Legislative Document

No. 2055

H.P. 1458

House of Representatives, February 24, 1986

Reported by the Majority from the Committee on Fisheries and Wildlife and printed under Joint Rule 2. Original bill sponsored by Representative Martin of Van Buren. Cosponsored by Representative Simpson of Casco, Representative Rotondi of Athens, and Senator Matthews of Kennebec.

EDWIN H. PERT, Clerk

STATE OF MAINE

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

AN ACT to Permit Mobile Banking in Rural
Maine.

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

9-B MRSA §339, as amended by PL 1979, c. 429, §8, is repealed and the following enacted in its place:

§339. Mobile branches and branches in other states

1. Mobile branches. In addition to permanent branches or agencies established pursuant to this chapter, a financial institution may establish and operate one or more mobile branches, as defined in section 131, as limited by this section. A mobile branch may not operate in any city or town in which there is a permanent branch location; nor may it be located within 10-road miles of another branch or main office of any financial institution. An application for approval of a mobile branch must be filed

1 with the superintendent. This application shall spe-
2 cifically address:

3 A. The decision-making criteria found in section
4 252;

5 B. Additional security measures essential to
6 maintaining a mobile unit;

7 C. The services to be offered at the mobile
8 unit, which shall include such activities as:
9 Teller services; taking personal loan applica-
10 tions; selling travelers checks or money orders;
11 opening new accounts; and financial counseling to
12 the extent that these services are offered at any
13 other branch office of the applicant; and

14 D. Any additional information the superintendent
15 requires.

16 If more than one financial institution apply for a
17 mobile branch site in a given community, city or
18 town, preference shall be given to the financial in-
19 stitution or institutions which have traditionally
20 served the financial needs of the citizens and busi-
21 nesses in the community and have permanent facilities
22 in close proximity. The superintendent may promul-
23 gate regulations regarding the operation of a mobile
24 branch. Approval to operate a mobile branch shall
25 not be granted prior to January 1, 1987.

26 The use of a bank employee to transport deposits from
27 an elementary or secondary school to a financial in-
28 stitution or the use of a bonded carrier to transport
29 a commercial deposit from a customer's place of busi-
30 ness, a state department or agency or a subdivision
31 of the State to an office of a financial institution,
32 whether paid for by the customer or the financial in-
33 stitution, shall not be construed as the establish-
34 ment or operation of a mobile branch. In the event a
35 bonded carrier is used to transport deposits from a
36 customer's place of business to a financial institu-
37 tion the messenger shall be considered the agent of
38 the customer rather than of the bank. Deposits col-
39 lected under this arrangement shall not be considered
40 to have been received by the bank until they are ac-
41 tually delivered to the teller at the bank's
42 premises.

1 2. Branches in other states.

2 A. Nothing contained in this Title may be con-
3 strued as permitting a financial institution to
4 establish a branch office or facility in any
5 state other than the State of Maine, and no fi-
6 nanical institution not authorized to do business
7 in this State may establish or operate a branch
8 office or facility in the State of Maine.

9 B. The operation of such a branch office or fa-
10 cility by such financial institution or institu-
11 tions is expressly prohibited by this section.

12 STATEMENT OF FACT

13 This new draft addresses several concerns raised
14 by the Joint Standing Committee on Business and Com-
15 merce. With this new draft a mobile branch will be
16 prohibited in communities which are within 10-road
17 miles of an existing permanent facility. The new
18 draft also establishes specific areas which must be
19 addressed in an application for approval to operate a
20 mobile branch. Legislative direction is given to the
21 superintendent in the event that more than one finan-
22 cial institution applies for a mobile branch site in
23 a given community. Preference must be given to the
24 financial institution or institutions which have
25 traditionally served the financial needs of the com-
26 munity. The new draft stipulates that no approval
27 for a mobile branch may be granted until after Janu-
28 ary 1, 1987, which may give the Bureau of Banking
29 time to review applications to assure compliance with
30 the requirements of the Maine Revised Statutes, Title
31 9-B, section 339.

32 5794021986