

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

SECOND REGULAR SESSION-1992

Legislative Document

No. 2105

H.P. 1493

House of Representatives, January 7, 1992

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Banking and Insurance suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

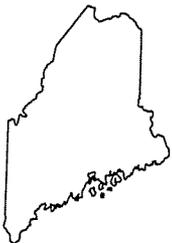
EDWIN H. PERT, Clerk

Presented by Representative MAYO of Thomaston.
Cosponsored by Representative ERWIN of Rumford.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-TWO

**An Act Regarding Loans to Stockholders, Directors, Corporators or
Officers of Financial Institutions.**



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

2
4 9-B MRSA §465, sub-§3, ¶A, as amended by PL 1991, c. 34, §9,
is further amended to read:

6 A. Every director, corporator, officer, agent or employee
8 of a financial institution who authorizes or assists in
10 procuring, granting or causing the granting of a loan in
violation of section 439-A, but only to the extent that
12 financial institution is subject to section 439-A, or this
14 section, or pays or willfully permits the payment of any
16 funds of the institution on such loan, and every director of
an institution who votes on a loan in willful violation of
18 any of the provisions of this section and every director,
corporator, officer, agent or employee who willfully and
20 knowingly permits or causes the same to be done are
personally responsible for the payment thereof and guilty of
a misdemeanor. For purposes of this paragraph, "agent" or
"employee" does not include an individual who is
22 incidentally involved in the preparation of documents or
title work relating to a loan;

24 **STATEMENT OF FACT**

26 This bill makes clear that personal responsibility and
28 criminal liability for participation in the granting of loans in
violation of the Maine Revised Statutes, Title 9-B, section 439-A
do not apply in the case of a financial institution that is not
30 subject to the lending limits of Title 9-B, section 439-A.