

MAINE STATE LEGISLATURE

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SPECIAL SESSION

E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 5

S. P. 5

In Senate, Nov. 14, 1933.

ROYDEN V. BROWN, Secretary.

Presented by Senator Weeks of Somerset.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND
THIRTY-THREE

AN ACT to Assist State Banks in Joining the Federal Reserve System.

Emergency Preamble. Whereas the banking situation in this state appears to require that various state banks should be admitted to membership in the Federal Reserve System as a means of maintaining public confidence and in order to be eligible to government insurance of deposits;

And whereas the requirements of the Federal Reserve Board do not appear to be fully met by the existing statute relative to the sale of stock in trust companies and to the certificate of the bank commissioner concerning the same, in order to make membership in the Federal Reserve System immediately available to state banks and to thus safeguard their financial stability and promote the industrial and commercial welfare and prosperity of our State, it is necessary that the enactment of the following amendment to the banking laws should become effective forthwith;

And whereas in the judgment of the legislature these facts create an emergency within the meaning of section 16 of Article XXXI of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety;

Now therefore

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

R. S. c. 57, § 67, amended. Section 67 of chapter 57 of the revised statutes as amended by chapter 22 of the public laws of 1931, is hereby amended to read as follows:

'Sec. 67. Requirement for issuance of stock. Such corporation shall not issue any shares of stock until the par value of such shares and fifty per cent additional as a surplus shall have been actually paid in in cash **or an equivalent as determined by the bank commissioner.** When the whole capital stock has been issued, a complete list of the stockholders, with the name, residence, and post-office address of each, and the number of shares held by each, shall be filed with the bank commissioner, which list shall be verified by the president and the treasurer of the corporation. Upon receipt of such statement said commissioner shall cause an examination to be made, and if, after such examination, it appears that the whole capital stock and surplus has been paid in in cash **or an equivalent as determined by the bank commissioner,** and that all requirements of law have been complied with, said commissioner shall issue a certificate authorizing such corporation to begin the transaction of business. **Such certificate shall be conclusive as to the facts stated therein; and any such certificate may be issued by the bank commissioner with reference to the payment to any Trust Company for any issue of shares made after March 4, 1933, and before November 15, 1933, and thereupon such certificate shall have the same effect and the issue of shares referred to therein shall have the same validity as if this amendment had become effective on March 4, 1933.** It shall be unlawful for any such corporation to begin the transaction of business until such a certificate has been granted.'

Emergency Clause. In view of the emergency set forth in the preamble, this act shall take effect when approved.