

1. THE AMOUNT OF THE CAPITAL CONTRIBUTION IS SUBSTANTIALLY LESS THAN THE COST THAT THE FUND WOULD INCUR IF THE MEMBER ASSOCIATION WERE LIQUIDATED, INCLUDING THE COST OF REIMBURSING EACH SAVINGS ACCOUNT HOLDER IN THE INSURED AMOUNT OF EACH SAVINGS ACCOUNT HOLDER'S DEPOSIT IN THE LIQUIDATED MEMBER ASSOCIATION; AND

2. THE MAKING OF THE CAPITAL CONTRIBUTION IS NECESSARY TO FACILITATE THE ACQUISITION, CONSOLIDATION, OR MERGERS OR TRANSFERS OF ASSETS AND OBLIGATIONS.

(3) (I) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION, THE FUND DIRECTOR SHALL NOTIFY THE LEGISLATIVE POLICY COMMITTEE OF ANY PROPOSED ACTION BY THE FUND DIRECTOR REGARDING THE MAKING OF A CAPITAL CONTRIBUTION UNDER PARAGRAPH (2)(V) OF THIS SUBSECTION AT LEAST 21 DAYS BEFORE THE ACTION REGARDING THE CAPITAL CONTRIBUTION IS TAKEN.

(II) THE LEGISLATIVE POLICY COMMITTEE SHALL ASSIGN THE PROPOSED ACTION BY THE FUND DIRECTOR REGARDING THE MAKING OF A CAPITAL CONTRIBUTION FOR REVIEW BY THE APPROPRIATE STANDING COMMITTEES.

(4) ANY AGREEMENT SPECIFYING THE TERMS AND CONDITIONS OF A CAPITAL CONTRIBUTION UNDER THIS SECTION SHALL RETAIN ALL CLAIMS THAT THE FUND MAY HAVE AGAINST OFFICERS, DIRECTORS, EMPLOYEES, OR AGENTS OF ANY ACQUIRED SAVINGS AND LOAN ASSOCIATION. THE FUND MAY CONDITION THE EXERCISE OF THOSE CLAIMS ONLY TO THE EXTENT DEEMED NECESSARY FOR THE PROTECTION OF THE PUBLIC INTEREST AND WELFARE AND MAY PROVIDE FOR AN INDEMNIFICATION FOR REASONABLE EXPENSES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage. The provisions of § 9-627 of the Financial Institutions Article as amended by this Act shall remain in effect until June 1, 1986 and at that time, without the need for any further action by the General Assembly, shall be null and void and without effect. Any transaction that was approved under these provisions before that date remain subject to the terms and conditions that were in effect before that date.

Approved October 25, 1985.

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