

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DIVISION OF BANKING, DEPARTMENT OF GENERAL ADMINISTRATION

(agency name)

Administrative Order No. 57

(1) I, L. O. MalMBERG, Acting Supervisor of the Division of Banking

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

banks and trust companies; amending section WAC 50-12-050.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on These rules shall take effect:
[] thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
[] at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, L. O. MalMBERG, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is: RCW 30.12.060 requires that limits on loans to officers or employees of state chartered banks or trust companies are to be prescribed by the supervisor of banking by regulation. Loan limits for officers of national banks are being amended by federal regulatory authorities. The immediate amendment to WAC 50-12-050 is necessary to revise loan limits so that state banks and trust companies may remain competitive with national banks and federal banking regulations. These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

[X] (a) This rule is promulgated pursuant to RCW 30.12.060 and is intended to administratively implement that statute.

[] (b) This rule is promulgated pursuant to RCW which directs that the

(agency) has authority to implement the provisions of

(name of act or RCW citation)

[] (c) This rule is promulgated under the general rule-making authority of the

(agency) as authorized in RCW

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADOPTED October 12 19 83

OCT 13 1983

By L. O. MalMBERG, CFE Acting Supervisor of Banking Title

CODE REVISER'S OFFICE WSR 83-21-045

AMENDATORY SECTION (Amending Order 40, filed 3-23-79)

WAC 50-12-050 Limiting loans to officers. ~~((If approved))~~ With the specific prior approval by resolution of its board of directors as required by law, a bank may make the following loans to any of its officers:

(1) A loan, ~~((not exceeding \$60,000.00))~~ to any of its officers if, at the time the loan is made:

(a) It is secured by a first lien on a dwelling which is expected, after the making of the loan, to be owned by the officer and used by him as his residence; and

(b) No other loan made by the bank to the officer under authority of this subparagraph is outstanding;

(2) In addition to (1) above, a bank may make extensions of credit to any officer of a bank ~~((, not exceeding the aggregate amount of \$20,000.00 outstanding at any one time,))~~ to finance the education of the children of the officer; and

(3) A bank, in addition to loans made pursuant to subparagraphs (1) and (2) above, may make extensions of credit to its officers not exceeding the ~~((aggregate amount))~~ greater of ((\$10,000.00 outstanding at any one time: Provided, That total liability to the bank of such officer does not exceed the limit prescribed in RCW 30.04.110.)) \$25,000.00 or three percent of the bank's capital, surplus, and undivided profits. In no case shall the extension of credit to an officer under this paragraph exceed the aggregate amount of \$100,000.00, or the total liability to the bank by the officer exceed the limit prescribed by RCW 30.04.110, whichever is less.