

NEBRASKA ADMINISTRATIVE CODE

Title 45 – DEPARTMENT OF BANKING AND FINANCE

Chapter 17 – POOL PARTICIPATION APPROVAL

001 APPROVAL PROCESS.

001.01 Neb. Rev. Stat. § 8-141 states that a bank may invest in obligations representing loans to any national banking association or to any banking institution organized under the laws of any state, when such loans are approved by the Director of the Department, by rule and regulation, or otherwise.

001.02 Except as provided in Subsection 001.04 of this Rule, a bank must make application for approval on a form prescribed by the Department.

001.03 The form is to be submitted to the Department either electronically with an approved digital signature or in paper with a signature in ink.

001.04 If a bank's total investment with any one bank does not exceed its total capital structure or its unimpaired capital and surplus, no formal approval is required from the Director of the Department, providing the bank's total investments conform to Neb. Rev. Stat. § 8-147.

001.05 For purposes of this Rule:

001.05A "Capital structure" means the total of common stock, preferred stock, capital notes, debentures, surplus, undivided profits, and unrestricted reserves.

001.05B "Unimpaired capital" is as defined in Neb. Rev. Stat. § 8-141.