

NEBRASKA ADMINISTRATIVE CODE

Title 45 – DEPARTMENT OF BANKING AND FINANCE

Chapter ~~48~~ 17 – POOL PARTICIPATION APPROVAL-

001 APPROVAL PROCESS.

001.01 ~~Section Neb. Rev. Stat. § 8-141, as amended,~~ 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 ~~Banking~~ 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 shall be made by subject bank on a forms supplied prescribed by the Department of Banking, unless the~~

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 the its total capital structure or its unimpaired capital and surplus, no formal approval is required by the Director of the Department, providing the bank's total investments conform to Section Neb. Rev. Stat. § 8-147.~~

001.05 ~~For purposes of this Rule:~~

001.05A ~~"Capital structure" shall include means the total of common stock, plus preferred stock, capital notes, and debentures, surplus, undivided profits, and unrestricted reserves. If the total investment by subject bank with any one bank does not exceed subject bank's total capital structure, as defined above, no formal approval is required by the Director, providing the bank's total investments conform to Section 8-147.~~

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