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SEP 9 1988

ORDER OF THE
OFFICE OF THE COMMISSIONER OF SAVINGS AND LOAN, Revisor of Statutes
OFFICE OF THE COMMISSIONER OF BANKING AND Bureau
OFFICE OF THE COMMISSIONER OF CREDIT UNIONS
AMENDING RULES

The Wisconsin Office of the Commissioner of Banking, Office of the Commissioner of Credit Unions and Office of the Commissioner of Savings and Loan propose an order to amend Bkg 14.03, Bkg 14.08(2), CU 63.03, CU 63.08(2), S-L 26.03 and S-L 26.08(2)(intro.), relating to the location of and receipts provided by remote service units, customer bank communications terminals and remote terminals.

This rule shall take effect, as provided in s. 227.22(2)(intro.), Stats., on the first day of the month commencing after the date of publication.

Analysis Prepared by the Offices of the Commissioners
of Savings and Loan, Banking and Credit Unions

Statutory authority: ss. 186.23, 215.02(7)(a) and 220.04(6), Stats.
Statutes interpreted: ss. 186.113(15)(a), 215.13(46) and 221.04(1)(k), stats.

This joint rule similarly amends almost identical rule provisions of the three commissioners which were adopted as a joint rule in 1976 to regulate automatic transfer machines ("ATMs" herein), a generic term for remote service units of savings and loan associations, customer bank communications terminals of banks and remote terminals of credit unions.

The proposed changes are:

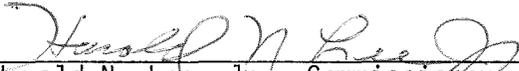
1. Current rules provide that when a savings and loan association, bank or credit union proposes changing the location or manner of offering ATM services, each must file an application requesting the approval of the appropriate commissioner. This rule would excuse financial institutions from filing these applications if the commissioner regularly receives from a supplier (ex., TYME) information on terminal additions, deletions and relocations. (The rules amended to effect this change are ss. Bkg 14.03, S-L 26.03 and CU 63.03).
2. Current rules require an ATM to provide each customer with a written receipt for each transaction. This rule would make providing of a receipt a customer option. (The rules amended to effect this change are ss. Bkg 14.08(2), S-L 26.08(2) and CU 63.08(2).)

This rule will have no fiscal impact on the state agencies adopting it.

This rule will have only a minimal effect (a reduction in paperwork) on a savings and loan association, bank or credit union which is a "small business" as defined in s. 227.114(1)(a), Stats.

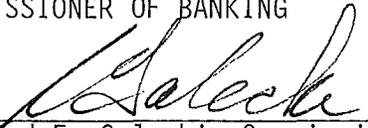
Dated: September 7, 1988
Attachment

COMMISSIONER OF SAVINGS AND LOAN



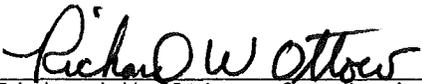
Harold N. Lee, Jr., Commissioner

COMMISSIONER OF BANKING



Richard E. Galecki, Commissioner

COMMISSIONER OF CREDIT UNIONS



Richard W. Ottow, Commissioner

Date: 6/1/88

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SECTION 1. Bkg 14.03 is amended to read:

Bkg 14.03 ADVANCE NOTICE AND APPROVAL REQUIRED. Each bank proposing to engage in an activity authorized under s. 221.04(1)(k) of the statutes or proposing to change the place or manner in which it engages in such an activity shall file with the commissioner an application containing such information as the commissioner may from time to time prescribe. If the commissioner regularly receives information on additions, deletions or changes in locations of customer bank communications terminals from a supplier, a bank is excused from filing an application merely to change the place at which it offers the services. No bank may commence any such activity unless the place and manner in which the activity is conducted has been approved by the commissioner in writing or the commissioner does not take written objection to the bank's completed application within 30 days after it has been filed under this section. A bank may not commence or continue to engage in any activity authorized under s. 221.04(1)(k) of the statutes, if, in the opinion of the commissioner, the activity is beyond the financial or management capabilities of the bank, would result in unfair competition among financial institutions, or is otherwise in violation of this chapter.

SECTION 2. Bkg 14.08(2) is amended to read:

Bkg 14.08(2) TRANSACTION DOCUMENTATION. Every transfer of funds through a customer bank communications terminal made by a customer of a bank shall be evidenced by a written document -provided made available to the customer at the time of the transaction. The document shall indicate with reasonable

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specificity the identity of any third party to whom funds are electronically transferred, the type of transaction and the date of the transaction. A customer may be required to reenter an access device, such as a card, at a terminal in order to receive transactions documentation if all the following conditions are met.

CU 63.03 is amended to read:

CU 63.03 ADVANCE NOTICE AND APPROVAL REQUIRED. Each credit union proposing to engage in an activity authorized under s. 186.113(15), Stats., or proposing to change the place or manner in which it engages in such an activity shall file with the commissioner an application containing such information as the commissioner may from time to time prescribe. If the commissioner regularly receives information on additions, deletions or changes in locations of remote terminals from a supplier, a credit union is excused from filing an application merely to change the place at which it offers the services. No credit union may commence any such activity unless the place and manner in which the activity is conducted has been approved by the commissioner in writing or the commissioner does not take written objection to the credit union's completed application within 30 days after it has been filed under this section. A credit union may not commence or continue to engage in any activity authorized under s. 186.113(15), Stats., if, in the opinion of the commissioner, the activity is beyond the financial or management capabilities of the credit union, would result in unfair competition among financial institutions, or is otherwise in violation of this chapter.

SECTION 4. CU 63.08(2) is amended to read:

CU 63.08(2) TRANSACTION DOCUMENTATION. Every transfer of funds through a remote terminal made by a customer of a credit union shall be evidenced by a written document -provided made available to the customer at the time of the transaction. The document shall indicate with reasonable specificity the identity of any third party to whom funds are electronically transferred, the identity of the customer's account, the amount of funds transferred, the type of transaction, and the date of the transaction. A customer may be required to reenter an access device, such as a card, at a terminal in order to receive transaction documentation if all of the following conditions are met:

SECTION 5. S-L 26.03 is amended to read:

S-L 26.03 ADVANCE NOTICE AND APPROVAL REQUIRED. Each association proposing to engage in an activity authorized under s. 215.13(46), Stats., or proposing to change the place or manner in which it engages in such an activity shall file with the commissioner an application containing such information as the commissioner may from time to time prescribe. If the commissioner regularly receives information on additions, deletions or changes in locations of remote service units from a supplier, an association is excused from filing an application merely to change the place at which it offers the services. No association may commence any such activity unless the place and manner in which the activity is conducted has been approved by the commissioner in writing or the commissioner does not take written objection to the association's completed application within 30 days after it has been filed

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under this section. An association may not commence or continue to engage in any activity authorized under s. 215.13(46), Stats., if, in the opinion of the commissioner, the activity is beyond the financial or management capabilities of the association, would result in unfair competition among financial institutions, or is otherwise in violation of this chapter.

SECTION 6. S-L 26.08(2)(intro.) is amended to read:

S-L 26.08(2)(intro.) TRANSACTION DOCUMENTATION. Every transfer of funds made ~~to~~ through a remote service unit by a customer of an association shall be evidenced by a written document ~~provided~~ made available to the customer at the time of the transaction. The document shall indicate with reasonable specificity the identity of any third party to whom funds are electronically transferred, the type of transaction and the date of the transaction. A customer may be required to reenter an access device, such as a card, at a terminal in order to receive transaction documentation if all the following conditions are met:

SECTION 7. EFFECTIVE DATE. Pursuant to s. 227.22(2)(intro.), Stats., this rule shall be effective on the first day of the month commencing after the date of its publication.

Tommy G. Thompson
Governor



Harold N. Lee, Jr.
Commissioner

State of Wisconsin
Office of Commissioner of Savings and Loan

131 West Wilson Street • Suite 502 • Madison, Wisconsin 53702 • (608) 266-1821

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September 7, 1988

SEP 9 1988

Revisor of Statutes
Bureau

Douglas J. La Follette
Secretary of State
201 East Washington Avenue, Room 271
Madison, Wisconsin 53702

Orlan L. Prestegard
Revisor of Statutes
30 West Mifflin Street, # 702
Madison, Wisconsin 53702

Gentlemen:

Pursuant to s. 227.20(1), Stats., enclosed is a certified copy of an administrative rule adopted by this office, the Office of the Commissioner of Banking and the Office of the Commissioner of Credit Unions and a "Certificate" and "Order" relating to it. This rule is Clearinghouse Rule 88-71, relating to the location of and receipts provided by remote service units, customer bank communication terminals and remote terminals.

Sincerely,


Harold N. Lee, Jr.
Commissioner

HNL/k

Enclosures

cc: Richard E. Galecki
Richard W. Ottow

FISCAL ESTIMATE

AD-MBA-23 (Rev. 10/86)

1987 Session

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
CU 63.03 & 63.08(2)
Amendment No. if Applicable

Subject The location of and receipts provided by remote service units, customer bank communications terminals and remote terminals

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or effects a sum sufficient appropriation.

Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

Increase Costs - May Be Possible to Absorb Within Agency's Budget Yes No
 Decrease Costs

Local: No local government costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____

Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

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The proposed changes are:

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Long-Range Fiscal Implications

None

Agency/Prepared by: (Name & Phone No.)

6-1821
Office of Commissioner of Savings & Loan

Authorized Signature/Telephone No.

Harold N. Lee, Jr. 6-1821
Harold N. Lee, Jr., Commissioner

Date

5/2/88