

# State of Wisconsin



1997 Assembly Bill 797

Date of enactment: April 20, 1998

Date of publication\*: May 4, 1998

## 1997 WISCONSIN ACT 144

AN ACT to consolidate, renumber and amend 214.715 (4) (a) and (b) and 215.03 (7) (a) and (b); to amend 214.485 (8), 214.485 (9), 214.49 (14) and 215.50 (7); and to create 214.485 (11), 214.502 and 215.215 of the statutes; relating to: investment and lending powers of savings institutions, the location of savings institution offices and the power of boards of directors of savings and loan associations to provide for pension and deferred compensation plans.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 214.485 (8) of the statutes is amended to read:

214.485 (8) Through secured or unsecured loans for business, corporate, commercial or agricultural purposes ~~if. Unless a greater amount is authorized in writing by the division,~~ the total of all loans granted under this subsection ~~does may~~ not exceed ~~40%~~ 20% of the savings bank's total assets, ~~unless a greater amount is authorized in writing by the division.~~

**SECTION 2.** 214.485 (9) of the statutes is amended to read:

214.485 (9) Through secured or unsecured loans for personal, family or household purposes if the total of all loans granted under this subsection does not exceed ~~40%~~ 20% of the savings bank's total assets, unless the division grants written authorization for the savings bank to grant loans under this subsection in a greater amount.

**SECTION 3.** 214.485 (11) of the statutes is created to read:

214.485 (11) For loans made through credit cards or credit card accounts.

**SECTION 4.** 214.49 (14) of the statutes is amended to read:

214.49 (14) In marketable investment securities, including marketable corporate debt instruments rated in one of the 4 highest categories by a nationally recognized rating service, if the total amount of those securities of any one issuer or obligor does not exceed 5% ~~10%~~ of the savings bank's capital ~~and the.~~ The aggregate amount of investments under this subsection does may not exceed ~~15% of capital~~ 10% of the savings bank's total assets, unless the savings bank has received written authorization from the division.

**SECTION 5.** 214.502 of the statutes is created to read:  
**214.502 Nonconforming loans.** Notwithstanding s. 214.48 (3), a savings bank may make loans secured by real property used primarily for residential or farming purposes, even if those loans do not comply with one or more of the requirements under those provisions, if the total amount of loans made under this section does not exceed 5% of the savings bank's total assets.

**SECTION 6.** 214.715 (4) (a) and (b) of the statutes are consolidated, renumbered 214.715 (4) and amended to read:

214.715 (4) A savings bank that intends to move its home office or a branch office ~~to some other location not more than one mile from its current location~~ shall make an application to the division. ~~The division may approve or deny the application for relocation.~~ (b) A savings bank

\* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

that intends to move its home office or a branch office to some other location more than one mile from its current location shall make an application to the division. The division shall give notice and provide an opportunity for hearing as provided in s. 214.26 (3) to (5). In approving or denying the application for relocation, the division shall determine the need for relocation and determine whether undue harm or injury would be caused to any savings bank doing business in the area or vicinity of the proposed relocation.

**SECTION 7.** 215.03 (7) (a) and (b) of the statutes are consolidated, renumbered 215.03 (7) and amended to read:

215.03 (7) Any association which determines to move its home office or a branch office to some other location ~~not more than one mile from its then location~~ shall make an application to the division. ~~The division may approve or deny such application for relocation.~~ (b) ~~Any association which determines to move its home office or branch to some other location more than one mile from its then location shall make an application to the division. The division shall give notice and provide an opportunity for hearing as provided in s. 215.40 (7).~~ In approving or denying the application for relocation, the division shall ascertain the need for relocation and determine whether undue harm or injury would be caused to

any properly conducted association or branch now doing business in the area or vicinity of the proposed relocation.

**SECTION 8.** 215.215 of the statutes is created to read:

**215.215 Nonconforming loans.** Notwithstanding generally accepted underwriting standards, an association may make loans secured by real property used primarily for residential or farming purposes, even if those loans do not comply with one or more of the requirements under those provisions, if the total amount of loans made under this section does not exceed 5% of the association's total assets.

**SECTION 9.** 215.50 (7) of the statutes is amended to read:

215.50 (7) **DIRECTORS TO FIX COMPENSATION.** The compensation of officers, directors, employes and committee members shall be fixed by a majority vote of the board of directors in accordance with the bylaws. In addition, the board of directors may, by resolution, create a fund or join a pension system or enter into deferred compensation agreements for the retirement of its directors, officers and employes, subject to specific, prior approval of the division ~~and the review board.~~

**SECTION 10. Initial applicability.**

(1) **RELOCATION APPLICATIONS.** The treatment of sections 214.715 (4) (a) and (b) and 215.03 (7) (a) and (b) of the statutes first applies to applications submitted on the effective date of this subsection.