

Bkg 1, 2, 4, 8 + 12

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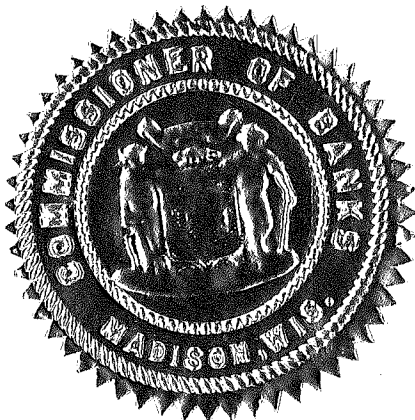


STATE OF WISCONSIN)
) SS
 OFFICE OF THE COMMISSIONER OF BANKING)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Wm. E. Nuesse, Commissioner of Banking of the Office of the Commissioner of Banking, and custodian of the official records of said office, do hereby certify that the annexed repealed and amended rules and regulations, relating to bank holidays, time deposits, paying and receiving stations or branches, and retention of books and records, were duly approved and adopted by this office on April 16, 1968.

I certify further that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused my Official Seal to be affixed. Done at the Hill Farms State Office Building, in the City of Madison, this 27th day of May, 1968.

Wm. E. Nuesse

Wm. E. Nuesse
 Commissioner of Banking

ORDER OF THE OFFICE OF THE COMMISSIONER OF BANKING
ADOPTING, AMENDING OR REPEALING RULES

Pursuant to authority vested in the commissioner of banking by sections 220.29, 220.04 (6)(a), 221.04 (1)(f), 220.28, Wis. Stats., the commissioner of banking hereby repeals, amends and adopts rules as follows:

Chapter Bkg 1 of the WISCONSIN ADMINISTRATIVE CODE is repealed.

Chapter Bkg 4 of the WISCONSIN ADMINISTRATIVE CODE is repealed.

To conform with the provisions of Chapter 253, Laws of 1967, Chapter Bkg 8 of the WISCONSIN ADMINISTRATIVE CODE is amended to read:

Chapter Bkg 8

PAYING AND RECEIVING STATIONS OR BRANCHES

Bkg 8.01 A station or branch is unit of a bank. As a station or branch is not possessed of any legal identity separate from the bank, a station or branch can own no assets and has no liabilities in its own right. Therefore, the records maintained by the station or branch shall be for control purposes only and not for the purpose of indicating a separate identity either directly or by implication.

Bkg 8.02 Books and records. (1) For control purposes only and not as evidence of an attempt to segregate either assets or liabilities a subsidiary ledger to be known as "station (or branch) control ledger" may be maintained at the station or branch, composed of and limited to the following accounts:

Debit	Credit
Cash on hand	Individual deposits
Cash in correspondent bank (name)	Savings deposits
Loans & Discounts (where notes are kept at station or branch)	Certificates of deposit
Overdrafts	Other deposit accounts - (detailed)
Home Office account	

Note: If all posting of deposit accounts originating at the station or branch is performed at the parent bank, there would then be no need for the station or branch to show any deposit controls in its records, as shown above under "Credit."

(2) The only expansion of this control ledger that will be permissible will be to provide for more than one correspondent bank account used solely by the station or branch, or to provide for additional deposit accounts.

(3) It is to be noted that no provision is made for investments nor for any income or expense accounts. The home office account will be merely a balancing account to facilitate maintenance of proper control over all accounts.

Bkg 8.03 Daily report to main office. (1) A daily report shall be made by the station or branch manager to the home office at the close of each day's business, which report shall cover all of the station's or branch's transactions for the day, said transactions to be entered in the general journal and general ledger maintained at the home office. The daily report shall show in detail the total of debits and credits to deposit accounts and correspondent bank accounts as well as properly identified debits and credits to the home office account.

(2) All loan activity, receipt of income and payment of expense will be reflected in changes in the cash on hand and home office accounts as neither loan, income nor expense accounts shall be carried in the "station (or branch) control ledger."

(3) The subsidiary detail of deposit accounts may be maintained at the station, branch or at the home office.

Bkg 8.04 Checks drawn on main office. Checks on individual accounts carried at the home office, either cashed or deposited at the station or branch, shall be forwarded direct to the home office at the end of each day. The total of such checks shall appear as a separate debit, properly identified, in the home office account and also on the daily report to the home office.

Bkg 8.05 Deposits for main office accounts. Deposits made at the station or branch on individual accounts carried at the home office shall be forwarded direct to the home office at the end of each day. The total of such deposits shall appear as a separate credit, properly identified in the home office account and also on the daily report to the home office.

Bkg 8.06 Interoffice activity. (1) In cases where there are two or more stations or branches, interoffice transactions, such as checks and deposits on accounts carried at station or branch "B" accepted at station or branch "A", shall be reflected in the home office account by debit or credit as in the case of checks and deposits on accounts carried at the home office. Separate totals for checks on each station or branch, properly identified as to station or branch, shall appear as debits to the home office account, and separate totals for deposits for each station or branch, identified as to station or branch, shall appear as credits to the home office account. Such checks and deposits should be forwarded direct to the station or branch office where the accounts are carried for immediate posting to the subsidiary individual ledger maintained at that point.

(2) Checks on accounts carried at the home office or other station or branch offices and cashed or deposited at one of the other offices shall not be cleared through a correspondent bank, nor shall an "in transit" account be used. Such items must be debited to the home office account at the station or branch where cashed or deposited.

Bkg 8.07 Station or branch identification on checks. Blank checks furnished to depositors having checking accounts at a station or branch may be identified by showing the name of the station or branch in addition to the name and location of the home office of subject bank.

Bkg 8.08 Station or branch subsidiary accounts. Memorandum records of station or branch transactions, such as income and expense, loans, etc., may be maintained at a station or branch to the extent desired but such records shall be independent of the "station (or branch) control ledger."

Bkg 8.09 Home office account. The daily report submitted by the station or branch manager shall include detailed transcript of the "home office account" for the day, with complete identification of each entry.

Bkg 8.10 Loan records. All loans made through a station or branch may either be entered in the loan register and liability ledger maintained at the home office or in the loan register and liability ledger maintained at each individual station or branch.

Bkg 8.11 Incorporating station or branch activity in main office accounts. (1) All station or branch transactions covered by the station or branch manager's daily report shall be incorporated in the general journal and general ledger maintained at the home office as of the date covered by the report.

(2) The transactions reported by the station or branch manager shall be entered in control accounts in the general ledger which will then reflect the consolidated total of like accounts of both station or branch and home office. If desired, subsidiary accounts, only in the case of accounts carried in the "station (or branch) control ledger," may be carried after the control accounts showing the breakdown as between station or branch and home office.

(3) The daily statement prepared at the home office shall show the totals of the control accounts only.

(4) The general ledger of the home office shall not show the segregation of any investments or loans for the benefit of the station or branch.

(5) Subsidiary records of station or branch activity may be maintained at the home office to the extent desired.

Bkg 8.12 Checks and deposits for stations or branches. (1) Checks and deposits on accounts carried at the station or branch which have been accepted at the home office shall be posted direct to the individual deposit control account in the general ledger as of the day accepted. Such checks and deposits shall then be forwarded direct to the station or branch for posting to the "station (or branch) control ledger" and subsidiary ledgers.

(2) No "Stations", "branches" or "in transit" account for station or branch transactions shall appear on the books of the home office. All entries covering station or branch transactions shall be posted direct to the proper general ledger accounts.

(3) If found practical, the subsidiary detail of deposit accounts may be maintained at the home office in which case checks and deposits will remain at the home office.

Bkg 8.13 Suspense account. The home office may maintain a "suspense" account on the general ledger for each station or branch to which may be debited or credited only such entries as cover pure suspense transactions. For example: Home office advances cash of \$10 in connection with a transaction occurring at the station or branch, which \$10 is recoverable from customer at station or branch. Home office may debit "station (or branch) suspense" account pending collection at the station or branch.

Bkg 8.14 Station or branch supervision. Periodic visits are to be made to the station or branch by a member of the bank's auditing department, or an officer of the bank or his representative, to verify cash on hand, station or branch loan control account and liability ledger in connection therewith, the reconcilements of correspondent bank accounts at the station or branch if maintained there, and verification of deposit controls. Such visits are to be unannounced and are to be made at least monthly, and more often if desirable. Audit functions of every nature need not be covered at each visit but should be covered frequently during the year through a changing pattern of alternating verification. Station or branch personnel should verify deposit and loan control accounts at least monthly when these records are posted at the station or branch.

That portion of Section Bkg 9.01 of the WISCONSIN ADMINISTRATIVE CODE showing the schedule for preservation of bank records, is amended as follows:

SCHEDULE FOR PRESERVATION OF
BANK RECORDS

	*Schedule (1)	*Schedule (2)	Sch
	Minimum retention period of original record after which the record may be microfilmed and then destroyed. The microfilm will be retained for the period set forth in Schedule (2).	Minimum retention period of microfilm record following the period established in Schedule (1).	Overall minimum retention period of the original and microfilm record as per Schedules
ACCRUALS			
Daily Accrual Sheets.....	2 Yrs.	4 Yrs.	6
Nonaccruing Records.....	2 Yrs.	4 Yrs.	6
AFTER HOUR DEPOSITORY			
Content Record.....	3 Yrs.	3 Yrs.	6
Contract Cards.....	3 Yrs.	7 Yrs.	10
BORROWED FUNDS			
Register of Rediscounts.....	3 Yrs.	17 Yrs.	20
Register of Securities Pledged.....	3 Yrs.	17 Yrs.	20
CAPITAL			
Dividend Checks.....	5 Yrs. after Paymt.	10 Yrs.	15 aft
Dividend Register.....	5 Yrs.	10 Yrs.	15
Minutes of Directors' Meetings.....	Permanent	.....	Per
Minutes of Stockholders' Meetings.....	Permanent	.....	Per
Proxies.....	3 Yrs.	.....	3
Stock Certificate Book.....	Permanent	.....	Per
Stock Register.....	50 Yrs.	.....	50
CASH			
Advices of Credit.....	3 Yrs.	3 Yrs.	6
Batch Sheets (also Nat'l. Cash & IBM Master Tapes).....	3 Yrs.	.....	3
Cash Item Register.....	3 Yrs.	3 Yrs.	6
Cash Variation Records.....	3 Yrs.	17 Yrs.	20
Clearing House Sheets.....	3 Yrs.	.....	3
Interior Proving Records.....	3 Yrs.	.....	3
Outgoing Cash Letters.....	3 Yrs.	3 Yrs.	6
Return Item Records.....	3 Yrs.	3 Yrs.	6
Teller's Make-up Sheets.....	3 Yrs.	3 Yrs.	6

	*Schedule (1)	*Schedule (2)	Schedule
CASHIER'S CHECKS (See Official Checks)			
CERTIFIED CHECKS (See Official Checks)			
CERTIFICATES OF DEPOSIT			
a. Manual records			
Certificates after payment.....	5 Yrs.	10 Yrs.	15 Yr
Certificate Ledger.....	5 Yrs.	10 Yrs.	15 Yr
Certificate Register.....	5 Yrs.	10 Yrs.	15 Yr
b. Computer records			
Weekly (monthly) Trial Balance and Journal.....	3 Yrs.	17 Yrs.	20 Yr
(Lists each certificate outstanding and number plus interest paid to date in ledger form order)			
Weekly Maintenance report			
New certificates issued)			
Old certificates paid)			
Interest paid).....	5 Yrs.	.....	5 Yr
Name and address changes)			
Entry of social security numbers, etc.)			
Club Accounts (Christmas, vacation, etc.)			
Coupons.....	1 Yr.	.....	1 Yr
Journal.....	3 Yrs.	3 Yrs.	6 Yr
Ledger Cards.....	3 Yrs.	3 Yrs.	6 Yr
Withdrawal Receipts.....	3 Yrs.	17 Yrs.	20 Yr
CLUB CHECKS (See Official Checks)			
COLLECTIONS			
Collected.....	3 Yrs.	3 Yrs.	6 Yr
Receipts.....	3 Yrs.	3 Yrs.	6 Yr
Register.....	3 Yrs.	17 Yrs.	20 Yr
Remittance.....	3 Yrs.	3 Yrs.	6 Yr
Returned.....	3 Yrs.	3 Yrs.	6 Yr

	*Schedule (1)	*Schedule (2)	Schedule
CORRESPONDENCE			
Routine.....	Optional	Optional	Option
Important - covering commitments, decisions or policies.....	3 Yrs.	17 Yrs.	20 Yrs
Registered Mail Receipts (Return).....	3 Yrs.	3 Yrs.	6 Yrs
Stenographers' Note Books.....	1 Yr.	.....	1 Yr
DEPOSITS			
Daily Report of Accounts Opened and Closed.....	Optional	Optional	Option
Resolutions.....	3 Yrs.	17 Yrs.	20 Yrs
Signature Cards.....	3 Yrs.	17 Yrs.	20 Yrs
Trial Balances.....	Optional	Optional	Option
DEPOSITS - DUE TO BANKS			
Cash Letters (Deposits).....	3 Yrs.	3 Yrs.	6 Yrs
Cash Letters (Remittance).....	3 Yrs.	3 Yrs.	6 Yrs
Reconcilements.....	3 Yrs.	7 Yrs.	10 Yrs
DEPOSITS - SUBJECT TO CHECK			
a. Manual records			
Account Analysis.....	Optional	Optional	Option
Deposit Tickets			
Returned to customers with monthly statement.....	.....	15 Yrs.	15 Yr
Not returned to customers with monthly statement.....	3 Yrs.	12 Yrs.	15 Yr
Journals (Daily List of Checks, Deposits).....	3 Yrs.	.....	3 Yr
Ledger Sheets (or stubs with ledger sheet information)....	3 Yrs.	12 Yrs.	15 Yr
Overdrafts.....	3 Yrs.	3 Yrs.	6 Yr
Public Fund Computations.....	Optional	Optional	Optio
Service Charge Records.....	3 Yrs.	.....	3 Yr
Statement Stubs (with analysis information).....	Optional	Optional	Optio
	10 Yrs. if		10 Yr
Undelivered Statements, Cancelled Checks.....	undeliverable	.....	undel
Proof Machine Journal.....	3 Yrs.	.....	3 Yr
b. Computer records			
*Daily Trial Balance and Journal.....	1 Yr.	.....	1 Yr
*(In the event computer statement record furnishes only "bob-tail" (short form) statement, (showing only <u>total checks</u> issued for month and <u>total deposits</u> credited for month) this will necessitate retention of "Daily Trial Balance and Journal" for over-all retention period of 20 years, in lieu of <u>detailed</u> monthly statement.)			

	*Schedule (1)	*Schedule (2)	Sched
Statements to depositor (mo.)			
Duplicate of statement.....	3 Yrs.	12 Yrs.	15 Y
or			
Microfilm of statement.....	.....	15 Yrs.	15 Y
Analysis Reports (Service charges).....	1 Yr.	.....	1 Y
Overdraft List.....	1 Yr.	.....	1 Y
Quarterly Master File Report.....	1 Yr.	.....	1 Y
Batch Proof List (sometimes called Conversion run).....	1 Yr.	.....	1 Y
Debit/Credit Card Entry Report.....	1 Yr.	.....	1 Y
Exception Reports, as			
Large checks)			
New and closed accounts)			
Stop Payments).....	1 Yr.	.....	1 Y
Checks drawn against uncollected funds)			
Lost check books, etc.)			
Unposted Item Report.....	2 Yrs.	.....	2 Y
 DUE FROM BANKS			
Bank Statements.....	6 Yrs.	.....	6
Drafts (Paid).....	5 Yrs.	10 Yrs.	15
Incoming Cash Letters.....	3 Yrs.	3 Yrs.	6
Reconcilements.....	3 Yrs.	7 Yrs.	10
Draft Register.....	5 Yrs.	10 Yrs.	15
 EXPENSE			
Checks.....	5 Yrs.	10 Yrs.	15
Invoices.....	3 Yrs.	7 Yrs.	10
Register.....	5 Yrs.	10 Yrs.	15
Salary Receipts.....	4 Yrs.	.....	4
Vouchers.....	3 Yrs.	7 Yrs.	10
 GARNISHEE ACCOUNTS			
Court Orders.....	3 Yrs.	7 Yrs.	10
Releases.....	3 Yrs.	7 Yrs.	10
 GENERAL LEDGER			
Daily Statements.....	25 Yrs.	.....	25
General Journal.....	25 Yrs.	.....	25
General Tickets.....	3 Yrs.	7 Yrs.	10
Ledger Sheets.....	25 Yrs.	.....	25
Tax Exempt Income Register.....	10 Yrs.	.....	10

	*Schedule (1)	*Schedule (2)	Schedule
INSURANCE			
Blanket Bonds.....	6 Yrs.	.....	6 Yr
Other Policies After Expiration.....	3 Yrs.	.....	3 Yr
Registered Mail Floater Policies.....	6 Yrs.	.....	6 Yr
LETTERS OF CREDIT			
Applications.....	3 Yrs.	17 Yrs.	20 Yr
Cancelled Letters.....	3 Yrs.	17 Yrs.	20 Yr
LOANS			
Applications.....	3 Yrs.	.....	3 Yr
Appraisal Reports (Old).....	3 Yrs.	.....	3 Yr
Average Balance Cards.....	Optional	Optional	Optic
Collateral Register (With Receipts).....	3 Yrs.	17 Yrs.	20 Yr
Collateral Securities Tickler and Appraisal.....	3 Yrs.	.....	3 Yr
Credit Files (Old).....	6 Yrs.	.....	6 Yr
Discount Committee Minutes.....	20 Yrs.	.....	20 Yr
Debit and Credit Tickets.....	3 Yrs.	7 Yrs.	10 Yr
Escrow Books and Receipts.....	3 Yrs.	7 Yrs.	10 Yr
Foreign Exchange Records.....	3 Yrs.	2 Yrs.	5 Yr
Journal Sheets.....	3 Yrs.	17 Yrs.	20 Yr
Loans and Discounts Ledger.....	3 Yrs.	17 Yrs.	20 Yr
Loans and Discount Register.....	3 Yrs.	17 Yrs.	20 Yr
Note Tickler.....	Optional	Optional	Optic
OFFICIAL CHECKS (Cashier's, Bank Money Orders, Gift, Christmas, etc.)			
a. Manual Records			
Checks after payment.....	5 Yrs.	10 Yrs.	15 Yr
Certified Checks after payment.....	5 Yrs.	10 Yrs.	15 Yr
Register.....	5 Yrs.	10 Yrs.	15 Yr
b. Computer Records			
Daily Trial Balance and Journal.....	3 Yrs.	17 Yrs.	20 Yr
Weekly (monthly) Maintenance Report.....	3 Yrs.	17 Yrs.	20 Yr
Master File Maintenance Report	1 Yr.	.....	1 Yr

	*Schedule (1)	*Schedule (2)	Sched
REPORTS			
Audit.....	10 Yrs.	.....	10 Y
Audit Working Papers.....	2 Yrs.	.....	2 Y
Bank Examination Reports.....	Permanent	.....	Perm
"Call" Statements.....	20 Yrs.	.....	20 Y
Earnings Report.....	20 Yrs.	.....	20 Y
Federal Reserve Reports.....	20 Yrs.	.....	20 Y
Income Tax Returns and Tax Audit Reports.....	20 Yrs.	.....	20 Y
Legal Reserve Calculation Forms.....	1 Yr.	1 Yr.	2 Y
Monthly Reports to Directors.....	6 Yrs.	.....	6 Y
SAFE DEPOSIT DEPARTMENT			
Contract Cards.....	3 Yrs.	17 Yrs.	20 Y
Entrance Records.....	3 Yrs.	17 Yrs.	20 Y
	6 Yrs.		6 Y
Rental Records.....	after closing	.....	afte
Vault Report (Opened and Closed).....	6 Yrs.	.....	6 Y
SAFEKEEPING			
Books and Receipts.....	3 Yrs.	17 Yrs.	20 Y
SAVINGS DEPOSITS			
a. Manual Records			
Deposit Tickets.....	3 Yrs.	12 Yrs.	15 Y
Journal.....	6 Yrs.	.....	6 Y
Ledger.....	3 Yrs.	17 Yrs.	20 Y
Signature Cards.....	3 Yrs. after acct. closed	17 Yrs.	20 yrs. after
Withdrawal Receipts.....	3 Yrs.	17 Yrs.	20 Y
b. Computer Records			
Daily Trial Balance and Journal.....	1 Yr.	.....	1 Y
Pyramidal (weekly) Trial Balance and Journal.....	3 Yrs.	17 Yrs.	20 Y
Semiannual statement to customer (Cycled).....	3 Yrs.	17 Yrs.	20 Y
Batch proof list.....	1 Yr.	.....	1 Y
Master File Maintenance Report.....	1 Yr.	.....	1 Y
SECURITIES			
Advices of Securities Forwarded.....	6 Yrs.	.....	6 Y
Appraisal.....	Optional	Optional	Opti
Customers' order to Buy or Sell.....	3 Yrs.	17 Yrs.	20 Y
Invoices (Purchase or Sale).....	3 Yrs.	7 Yrs.	10 Y
Receipts for Securities Delivered.....	6 Yrs.	.....	6 Y
Securities Ledger.....	3 Yrs.	17 Yrs.	20 Y

	*Schedule (1)	*Schedule (2)	Schedule
STATION OR BRANCH RECORDS			
Daily reports to main office.....	3 Yrs.	17 Yrs.	20 Yr
Station or branch control ledger sheets.....	3 Yrs.	17 Yrs.	20 Yr
Station or branch loan liability ledger.....	3 Yrs.	17 Yrs.	20 Yr
Reconcilements of "home office account".....	3 Yrs.	17 Yrs.	20 Yr
Reconcilement Register(if posting and reconciling of correspondent bank accounts are performed at station or branch).....	3 Yrs.	17 Yrs.	20 Yr
TRAVELERS' CHECKS			
Applications.....	3 Yrs.	.....	3 Yr
TRUST DEPARTMENT			
Approval Files of Co-Trustees.....	6 Yrs. after closing	14 Yrs.	20 Yr after
Brokers' Purchase and Sale Confirmations.....	6 Yrs.	4 Yrs.	10 Yr
Cancelled Stock Certificates.....	10 Yrs.	30 Yrs.	40 Yr
Cancelled Vouchers.....	10 Yrs.	30 Yrs.	40 Yr
Correspondence:			
Routine.....	Optional	Optional	Optic
Important--covering commitments, decisions or policies.....	10 Yrs.	10 Yrs.	20 Yr
Debit and Credit Tickets.....	10 Yrs.	.....	10 Yr
Dividend checks issued as disbursing agent.....	10 Yrs.	30 Yrs.	40 Yr
Document Files.....	6 Yrs. after closing & release	14 Yrs.	20 Yr closi
Expense Vouchers.....	10 Yrs.	10 Yrs.	20 Yr
General Journal.....	Permanent	.....	Perma
General Ledger.....	Permanent 20 Yrs.	.....	Perma 40 Yr
Ledger Records -- Trust.....	after closing 20 Yrs.	20 Yrs.	after 40 Yr
Ledger Records -- Common Trusts.....	after closing 6 Yrs. after individual acct. closed	20 Yrs.	after 6 Yr indiv acct.
Stock Ledgers as Transfer Agents.....	10 Yrs.	.....	40 Yr
Trust Checks.....	20 Yrs.	Permanent	Perma
Trust Committee Minutes.....	20 Yrs.	Permanent	Perma
Trust Investment Committee Minutes.....	10 Yrs.	30 Yrs.	40 Yr
Voucher Receipts.....	10 Yrs.	30 Yrs.	40 Yr

	*Schedule (1)	*Schedule (2)	Schedule (3)
UNCLAIMED BALANCES (Savings, Checking, Official Checks, Bank Drafts, etc.)			
a. Manual Records	6 Yrs. after		
Ledger Sheets.....	escheat, Payt.	24 Yrs.	30 Yrs.
Withdrawal Tickets.....	6 Yrs. after escheat	24 Yrs.	30 Yrs.
Withdrawal Checks.....	30 Yrs. if undeliverable	.....	unde.
Reports to State Treasurer.....	3 Yrs.	17 Yrs.	20 Yrs.
b. Computer Records			
Daily Trial Balance & Journal.....	3 Yrs.	17 Yrs.	20 Yrs.
Weekly (monthly) maintenance report.....	3 Yrs.	17 Yrs.	20 Yrs.
Master File Maintenance Report.....	1 Yr.	.....	1 Yr.
UNITED STATES DEPOSITS			
Reports to Federal Reserve.....	6 Yrs.	.....	6 Yrs.
Reports to Treasurer of U. S.....	6 Yrs.	.....	6 Yrs.
WITHHELD TAX DEPOSITS			
Deposit Tickets.....	3 Yrs.	17 Yrs.	20 Yrs.
Depository Receipts.....	3 Yrs.	17 Yrs.	20 Yrs.
Depository Transmittal Letters.....	3 Yrs.	7 Yrs.	10 Yrs.

*Schedules (1) and (2) not applicable if microfilm is used as the original record for daily transactions. In such cases the original microfilm record will be retained for the minimum retention period set forth in Schedule (3).

The following amendments are made pursuant to Chapter 75, Laws of 1967, and section 227.02 (1)(b):

Bkg 2.01 is amended by substituting "commissioner of banking" for "commissioner of banks" in the first sentence.

Bkg 9.01 (4) is amended by substituting "commissioner of banking" for "commissioner of banks" in the last sentence.

Bkg 10 is amended to read:

PROCEDURE BEFORE THE BANKING REVIEW BOARD

Bkg 10.01 Use of statutory procedure. In any case where the statute involved provides a procedure inconsistent with these rules the statute shall govern to the extent of such inconsistency. If in any case the forms set out in these rules be found not appropriate, parties may devise forms substantially similar to those herein prescribed, to meet such situations.

Bkg 10.02 Definition of terms. "Commissioner" refers to the commissioner of banking.

Bkg. 10.03 Notice of appeal. Any interested person aggrieved by any act, order or determination of the commissioner of banking under Chapters 220, 221, 222, 223, Wis. Stats., may file with the commissioner of banking within 10 days after the act, order or determination to be reviewed an original and 8 copies of a Notice of Appeal in the manner prescribed by section Bkg 10.05 in the following form:

To the Wisconsin Banking Review Board:

The undersigned hereby appeals from the order of the commissioner of banking dated _____, 19____, whereby it was ordered that (here set forth the substance of the order).

The nature of petitioner's interest is: (Here set forth the nature of petitioner's interest).

The grounds of appeal are the following: (Here set forth the exceptions or objections relied on, and if no answer has been filed, then also an answer to the findings of fact in the order, in the manner prescribed by Bkg 11.11, Rules of Procedure for proceedings and hearings had before the commissioner of banking).

Dated _____, 19____.

Bkg 10.04 Time of hearing. Upon the filing of said notice, the commissioner of banking shall fix a time for hearing by giving at least 10 days' written notice of the time and place when said matter will be heard to the person applying for review or his attorney and upon any other person who participated in the proceedings before the commissioner or his attorney, stating the issues to be considered.

Bkg.10.05 Notice of hearing. Notice of hearing may be given by registered mail addressed to the party at his last known post office address, or to his attorney of record, return receipt requested, and the return receipt signed by

the addressee or his agent shall be presumptive evidence that such notice was received by the addressee on the day stated on the receipt. Papers required to be filed with the board may be mailed to the following address:

Office of the Commissioner of Banking
Madison, Wisconsin 53702

Bkg 10.06 Procedure for hearing. Continuances and adjournments of hearings may be granted by the board for cause shown. The appellant may appear in person or by any officer, regular employe or attorney. Any other interested person may likewise so appear. Proceedings shall be in conformity to Sec. 220.035 (2)(c), Wis. Stats. Witnesses competent to take an oath shall be sworn by the chairman of the board or the presiding officer and may be examined on behalf of the board by the chairman or presiding officer or by a representative of the attorney general acting as counsel for the board, or, with the permission of the chairman or presiding officer, by any employe of the board or commissioner of banking or by any other interested party or their attorneys. Any interested party or any of his agents, officers or employes may be examined adversely as prescribed by section 325.14, Wis. Stats. In all other respects, proceedings shall be had as prescribed in chapter 227, Wis. Stats.

Bkg 10.07 Subpoena. The board shall have subpoena powers as granted by section 325.01 (4), Wis. Stats.

Bkg 10.08 Prehearing conferences. Prehearing conferences may be held at the convenience of the parties and shall be conducted by the commissioner of banking or any other employe of the commissioner designated by him, who shall keep and preserve a record of any agreement as to the issues or stipulation or admission of fact which may be made at such conference. Such record shall be attached to the file and constitute a part of the official record of the case.

Bkg 10.09 Filing briefs. Except as provided in section 227.12, Wis. Stats., arguments shall be submitted to the board in writing, unless otherwise ordered. Eight copies of such written arguments shall be filed with the commissioner of banking, who shall forthwith send a copy to each member of the board. The time for filing arguments shall be fixed by the officer presiding at the hearing.

Bkg 10.10 Allegations and proof. The provisions of section 263.28, Wis. Stats., with reference to variances between the allegations and the proof, shall apply to proceedings under these rules.

Bkg 10.11 Stay of enforcement. The institution of the proceeding for review shall not stay enforcement of the commissioner's decision, but the board may order a stay upon such terms as it deems proper.

Bkg 11.01 is amended by substituting "commissioner of banking" for commissioner of banks in the first and second sentences.

Bkg 11.02 is amended by substituting "commissioner of banking" for commissioner of banks, deleting "State Office Building" and adding zip code "53702" after the word "Wisconsin."

Bkg 11.03 is amended by substituting "commissioner of banking" for commissioner of banks.

Bkg 11.08 is amended by substituting "BEFORE THE COMMISSIONER OF BANKING OF WISCONSIN" for BEFORE THE COMMISSIONER OF BANKS OF WISCONSIN in the last sentence.

Bkg 11.09 is amended by substituting "Office of the Commissioner of Banking" for 1 West Wilson Street, and adding zip code "53702" after the word Wisconsin.

Bkg 11.10 is amended to read:

Bkg 11.10 Notice of hearing in contested cases. In all proceedings instituted by the commissioner on complaint or otherwise for the revocation or suspension of any license or permit or in any other contested matter the notice of hearing shall contain a statement of the issues involved and may be in substantially the following form:

BEFORE THE COMMISSIONER OF BANKING OF WISCONSIN

To _____ (Name)
_____ (Street Address)
_____ (City and State)
Respondent

Take Notice that a hearing will be held on the _____ day of _____ at the office of the Commissioner of Banking of Wisconsin in Madison, Wisconsin, (or such other place as may be designated) at _____ o'clock _____ M., in the matter of (here insert briefly the subject matter of the hearing). The issue involved and the matters there to be considered are: (here insert with reasonable particularity in numbered paragraphs the particular matters and things complained of or at issue with respect to the subject matter of the hearing), to which you are required to make answer in writing at least _____ days before the time set for hearing.

Dated at Madison, Wisconsin, this _____ day of _____.

COMMISSIONER OF BANKING OF WISCONSIN

By _____

Bkg 12.02 (1) is amended by substituting "commissioner of banking" for commissioner of banks.

Bkg 12.10 is amended by substituting "commissioner of banking" for commissioner of banks in the first sentence.

Bkg 12.11 (1) is amended by substituting "commissioner of banking" for commissioner of banks in the first sentence.

Bkq. 12.11 (2) is amended by substituting "commissioner of banking" for commissioner of banks.