

Byron Mallott
Lieutenant Governor
State Capitol
Juneau, Alaska 99811
907.465.3520
WWW.LTGOV.ALASKA.GOV




530 West 7th Ave, Suite 1700
Anchorage, Alaska 99501
907.269.7460
LT.GOVERNOR@ALASKA.GOV

**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Micaela Fowler
Department of Commerce, Community, and Economic Development

FROM: Scott Meriwether, Office of the Lieutenant Governor 465.4081 

DATE: February 2, 2018

RE: Filed Permanent Regulations: Department of Commerce, Community, and Economic Development

Department of Commerce, Community, and Economic Development regulations re:
financial institution general administration (3 AAC 01.110(a); 3 AAC 01.905(a)(4),(e))

Attorney General File:	JU2017200768
Regulation Filed:	2/2/2018
Effective Date:	3/4/2018
Print:	225, April 2018

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS OF THE
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

The attached two pages of regulations, dealing with financial institution general administration, are adopted and certified to be a correct copy of the regulation changes that the Department of Commerce, Community, and Economic Development adopts under the authority of AS 06.01.010, 06.01.025, AS 06.05.005, AS 06.15.010, AS 06.20.340, AS 06.26.900, AS 06.40.180, AS 06.45.010, and AS 44.81.270 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Commerce, Community, and Economic Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 1.26.18


Micaela Fowler, Legislative Liaison
Office of the Commissioner
Department of Commerce, Community, and
Economic Development

Claire Richardson

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on

1 Feb. 2, 2018, at 2:27 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.


Lieutenant Governor

Effective: March 4, 2018

Register: 225, April 2018



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Commerce, Community,
and Economic Development**

OFFICE OF THE COMMISSIONER

P.O. Box 110800
Juneau, AK 99811-0800
Main: 907.465.2500
Fax: 907.465.5442

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations, outside of the Division of Corporations, Business and Professional Licensing (CBPL), but for the Department of Commerce, Community, and Economic Development (DCCED), under the Alaska Administrative Procedure Act, is hereby delegated to:

Micaela Fowler
Legislative Liaison
Office of the Commissioner
DCCED
P.O. Box 110800
Juneau, AK 99811-0800
907-465-2503
micaela.fowler@alaska.gov

In accordance with AS 44.17.010, the authority and responsibility for adopting regulations of the Division of Corporations, Business and Professional Licensing, under the Alaska Administrative Procedure Act, is hereby delegated to:

Janey Hovenden
Director
CBPL
DCCED
P.O. Box 110806
Juneau, AK 99811-0806
907-465-2538
janey.hovenden@alaska.gov

This Delegation of Authority will remain in effect until modified or revoked by a subsequent delegation. This Delegation supersedes and revokes all delegations preceding it.

Dated the 6th day of November, 2017

A handwritten signature in blue ink, reading "Mike Navarre", is written over a horizontal line.
Mike Navarre
Commissioner
Department of Commerce, Community,
and Economic Development

FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY

I, BYRON MALLOTT, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employee to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:

Claire Richardson, Special Assistant

IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Juneau, on January 7th 2015.



A handwritten signature in blue ink, appearing to read "Byron Mallott", is written over a horizontal dotted line.

**BYRON MALLOTT
LIEUTENANT GOVERNOR**

Register 225, April 2018 COMMERCE, COMMUNITY, AND EC. DEV.

3 AAC 01.110(a) is repealed and readopted to read:

(a) The department will assess a state-chartered deposit institution a regulatory fee based on total assets shown in the December 31 and June 30 report of condition. The assessment will be collected semiannually and will be computed using the following schedule:

- (1) up to \$20,000,000; \$6,000;
- (2) \$20,000,001 or more, but not over \$100,000,000; \$8,000 plus .000124 of total assets over \$20,000,000;
- (3) \$100,000,001 or more, but not over \$200,000,000; \$18,000 plus .000122 of total assets over \$100,000,000;
- (4) \$200,000,001 or more, but not over \$300,000,000; \$31,000 plus .000114 of total assets over \$200,000,000;
- (5) \$300,000,001 or more, but not over \$500,000,000; \$43,000 plus .000061 of total assets over \$300,000,000;
- (6) \$500,000,001 or more, but not over \$1,000,000,000; \$56,000 plus .000038 of total assets over \$500,000,000;
- (7) \$1,000,000,001 or more, but not over \$3,000,000,000; \$80,000 plus .000023 of total assets over \$1,000,000,000;
- (8) over \$3,000,000,001; \$126,000 plus .000015 of total assets over \$3,000,000,000.

(Eff. 11/28/92, Register 124; am 3 / 4 / 2018, Register 225)

Authority: AS 06.01.010 **AS 44.81.270** [AS 44.81.270(c)]

Register 225, April 2018 COMMERCE, COMMUNITY, AND EC. DEV.

3 AAC 01.905(a)(4) is amended to read:

(4) a person or financial institution the records, reports, or correspondence that apply to that particular person or financial institution; **the records, reports, or correspondence will not be disclosed to a person who is not a current account holder, except in the discretion of the commissioner.**

3 AAC 01.905(e) is amended to read:

(e) The board of directors of a bank may release a report of examination, prepared by the department,

(1) to an independent auditor under contract to produce a report of the bank's condition under AS 06.05.438(d); **or**

(2) for review by a potential purchaser of a financial institution, upon written consent of the department under AS 06.01.025(a).

(Eff. 6/6/82, Register 82; am 1/10/94, Register 129; am 3 / 4 / 2018, Register 225)

Authority:	AS 06.01.025	AS 06.15.010	<u>AS 06.26.900</u>
	<u>AS 06.05.005</u>	AS 06.20.340	AS 06.40.180
	[AS 06.05.005(a)]	[AS 06.25.315]	AS 06.45.010