

2660.0110 NOTICE.

Subpart 1. **Publication.** Within 30 days of the filing of an application, the applicant shall publish a notice of the filing of the application in a newspaper of general circulation within the county in which the association or branch office to be acquired or the proposed association or bank is located. In addition, the applicant shall mail by certified mail, return receipt requested, notice of the filing of the application to the commercial lending institutions within a three-mile radius of the association or branch office to be acquired or located.

Subp. 2. **Proof of publication.** The applicant shall submit to the commissioner a certified publisher's affidavit, including a tear sheet of the publication, setting forth the fact that the publication has been made.

Subp. 3. **Proof of mailing.** The applicant shall file with the commissioner the receipts certifying that the notices were sent by first class mail to the commercial lending institutions located within the three-mile radius of the association or branch office to be acquired or located.

Subp. 4. **Content of notice.** The application shall disclose the following:

- A. the name and address of the applicant or the applicant's attorney;
- B. the name and address of the association or branch office to be acquired or chartered;
- C. the date that the application was filed with the department;
- D. the notice that public comment addressed to the name and address of the commissioner will be accepted for a period of at least 30 days from the date of publication;
- E. that the application to acquire or charter a savings association or branch office by an interstate bank holding company must establish certain statutory criteria for approval under Minnesota statutes;
- F. that the application, before being approved, must demonstrate that the acquisition of the savings association or branch office:
 - (1) will not result in undue concentration of resources or substantial lessening of competition in the locality; and
 - (2) will bring net new funds into Minnesota;
- G. that the application, subject to any limitations imposed by federal or state statutes, is available to members of the public by contacting the commissioner of the Department of Commerce at 500 Metro Square Building, Saint Paul, MN, 55101; and
- H. any other information that the commissioner considers relevant to a proper disclosure surrounding the facts and circumstances of the acquisition.

Subp. 5. **Format.** The publication required in this part shall be typeset in a format acceptable for the publication of a savings association charter application.

Statutory Authority: *MS s 45.023; 51A.58*

History: *14 SR 2893; L 1995 c 202 art 1 s 25*

Published Electronically: *September 14, 2007*