

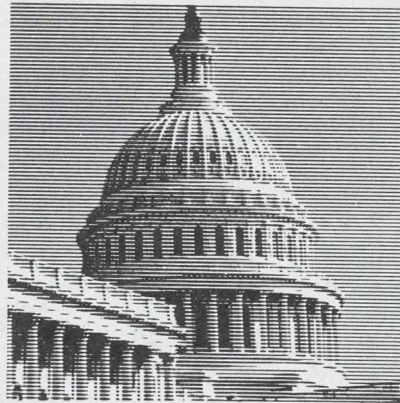
Banking and the 97th Congress

The 97th Congress has convened and begun to establish its legislative agenda for the coming session. Although the new leaders of the Senate and House Banking Committees have indicated that this Congress does not anticipate passing any radically new banking legislation, it is useful to keep in mind that the agenda can be shaped by unexpected developments. These developments are not necessarily limited to Congressional initiatives, and may arise from events that are far removed from anything happening in Congress itself.

For example, the last Congress will long be remembered by bankers as the one that passed the Depository Institutions Deregulation and Monetary Control Act of 1980. Yet the 96th Congress had no firmly-declared intention of becoming involved in a major restructuring of the American financial system. The original intent of the Congressional leadership was to concentrate on a long and careful study of the problems caused by declining membership in the Federal Reserve System. Hearings were scheduled and the committee staffs were prepared for a comprehensive examination of the complexities of the Fed membership issue. Congress also had intended to devote a major part of its time to monitoring existing laws and regulations.

Challenge

But in April of 1979, the U.S. Court of Appeals for the District of Columbia ruled simultaneously on three suits brought by the American



Bankers Association, the United States Savings and Loan League, and the Independent Bankers Association of America, challenging the authority of various federal regulatory agencies to authorize the creation of credit union share drafts, automatic transfer services and remote service units. The court held that in each case, the regulatory agency had exceeded its authority in approving the applications for the new services. The court ruled that only Congress had authority to allow these services to be established, and that Congress would have to act by January 1, 1980, if the services were to be continued legally.

And in February of 1980, the U.S. District Court for the District of Columbia, in a suit brought by the ABA, ruled that the Truth in Lending guidelines could not be used as the basis of any legal action against a bank. This decision denied the federal regulatory agencies enforcement powers that they considered important and brought the entire question of reforming the Truth in Lending laws to the attention of Congress.

NOW Accounts

The effect of these rulings was to put a new and unexpected burden on Congress. The much-discussed study of the Fed membership issue no longer was the singular top priority item that the leadership had intended it to be, and Congress had to focus on the full range of interest-bearing transaction accounts, including NOW accounts, on Regulation Q, Truth in Lending simplification, agency enforcement powers, and the whole range of issues that ultimately were included in the omnibus banking law. It is interesting to note that the first version of the bill to pass the Senate did not mention the Federal Reserve issue at all, and the first version to pass the House did not mention Truth in Lending simplification or the phase-out of Regulation Q. These matters were included in the final version of the law only after prolonged legislative maneuvering.

IRS Ruling

A similar change in the legislative

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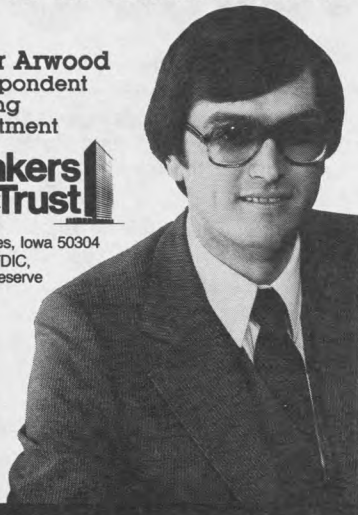
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agenda may have been forced on the newly-organized 97th Congress because of a ruling by the Internal Revenue Service on December 15. The IRS issued a new Revenue Procedure (Rev. Proc. 80-55) on that date, and the effect of it would be to end the tax deduction commercial banks now have on the interest they pay on some time deposits of state funds when those deposits are secured by tax-exempt securities. This ruling represents a radical change from the way the IRS has always treated such interest payments in the past, and the timing of the ruling, at the very end of the calendar year, could not be less convenient. The timing of the IRS action continues a pattern of expectation that entire industries can alter their procedures and their business plans instantly to suit the wishes of government agencies which fail to understand the

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practical effects of their actions.

The ABA immediately challenged this ruling, and the IRS has already agreed to rescind one particularly unreasonable feature that would have had extremely serious consequences for banks. As originally proposed, the ruling had retroactive effect, and banks would have been liable for taxes on all interest paid on these deposits for the past three years. This retroactive feature has now been rescinded, and the ruling is effective only for deposits received on or after January 10, 1981.

But the consequences for banks and for state and local governments that issue bonds are still very serious, and the ABA is continuing to ask the IRS to reconsider this basic change in the tax law. If the IRS does not reconsider, the ABA will have to decide whether to seek a remedy in the courts or ask Congress to change the law on which the IRS ruling is based. If the most expeditious course is to go to Congress for relief, this could mean a significant shift in the plans of the Congressional leadership as far as banking legislation is concerned.

Iowa News

The Iowa Bankers Association is presenting "A New Twist-Turning Prospects Into Customers" in 12 locations around the state in January and February. The purpose of the seminar is to motivate each staff member into wanting to sell and to enjoy doing it. Instructors will include Tricia Faulkender, senior vice president and director of training services for Financial Shares Corporation, a Chicago-based marketing and training firm and Kent Stickler, executive vice president of Financial Shares Corporation. Registration will begin at 5:30 p.m. and adjournment will be at 9:30 p.m. at each location. Registration is \$26 in advance and \$30 at the door. Dates and locations are: January 19, Ottumwa, Country Club; January 20, Cedar Rapids, Stouffer's Five Seasons; January 21, Des Moines, Hyatt Hotel; January 22, Council Bluffs, Best Western; January 26, Ft. Madison, Holiday Inn; January 27, Davenport, Black Hawk; January 28, Dubuque, Midway Motor Lodge; January 29, Waterloo, Conway Civic Center; February 9, Sioux City, Hilton Inn; February 10, Emmetsburg, Ia. Lakes Comm. College; February 11, Ft. Dodge,

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Starlight, and February 12, Mason City, Holiday Inn.

BELMOND: Luin B. Cox, 66, president of First State Bank, died suddenly December 24 of a heart attack suffered at home. An employe of the bank since 1939, Mr. Cox was chief executive officer for many years and had served as president for the past several years.

BLOOMFIELD: Richard Nyswonger has joined the staff at the Davis County Savings Bank as vice president. Prior to joining the bank, he managed a 2500 acre farm for two years and was employed by the Davis County Savings Bank for eight years.

DES MOINES: Thomas H. Huston has accepted reappointment by Governor Robert Ray to a second four year term as superintendent of banking for Iowa. The new term begins May 1. Mr. Huston is president of the Columbus Junction State Bank.

DUBUQUE: A hearing will be held at 1:30 p.m., January 21, in the superintendent of banking's office in Des Moines on the application of Dubuque Bank & Trust Co. to open an office in the nearby community of Peosta.

EAGLE GROVE: Ron Milbach has been named vice president and senior agriculture loan officer of the Brenton State Bank. He served as loan officer of Northeast Iowa Production Credit Association of Elkader since June 1979.

FONDA: James W. Murphy has been named a director of the First National Bank. He is a Jolley farmer.

FORT DODGE: A major addition, tripling the size of the present facility, was announced recently for the main downtown office of Union Trust and Savings Bank. The 18,000 square foot addition will consist of a full basement and two floors to be constructed just west of the present building, according to James E. Hughes, president.

HILLS: A hearing will be held at 10:00 a.m., January 21, in the superintendent of banking's office

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| <p>#8954 COMMERCIAL/R.E. LENDER—Handles FHA, VA, and Conv. residential loans. Some secondary market. Also involved with commercial credits including participations. Previous experience in consumer lending. \$25,000</p> | <p>#8937 INSTALMENT LOAN—Present position is second man in \$15MM dept. Total six years' consumer loan background with some operations experience. \$22,000</p> |
| <p>#8929 ADMINSTRATIVE OFFICER—Twelve years of bank experience encompasses operations, commercial lending, trusts, investments, and personnel. Accounting degree. \$40,000</p> | <p>#8938 OPERATIONS—Qualifications include four years with \$150MM bank and three years with small country bank as second officer. Has MBA and some commercial and instalment loan experience. \$25,000</p> |
| <p>#8879 AGRI-LOAN—Degree in Agri-business combined with 14 years of banking and Ag-finance experience. Currently employed in \$50MM midwestern bank. \$28,000</p> | <p>#8852 SR. LOAN OFFICER—Presently Sr. V.P. in \$150MM commercial oriented bank. Primary function is to administer general loan policy and larger credits. \$42,000</p> |
| <p>#8940 INSTALMENT LOAN—Junior officer with \$90MM bank. Handles both direct and indirect financing. Oversees collections. B.S. Degree. \$18,000</p> | <p>#8043 OPERATIONS/INSURANCE—Handles cashier function for country bank, along with insurance agency duties. Ag and instalment loan experience. Degree. \$25,000</p> |
| <p>#8928 SENIOR OPERATIONS—Extensive operations background covers banks from \$20MM to \$700MM. Currently V.P. in \$250 MM with responsibility for all operational areas. \$45,000</p> | <p>#8925 CHIEF EXEC. OFFICER—Currently managing \$10MM rural oriented bank. Over 20 years' banking experience and licensed insurance agent. \$35,000</p> |
| <p>#8870 PRESIDENT—Has been associated with same rural for 12 years. Equal ability in lending and operations. Administers multi-insurance agency. Prefers bank over \$10 MM. \$40,000</p> | <p>#8205 AGRI-LENDING—Junior officer with A.A. Degree and two years' banking experience. Holds real estate and insurance licenses. \$16,000</p> |
| <p>#8956 SR. COMM'L. LENDER—Background includes several years as V.P. of loan administration for large midwestern bank. Currently Sr. V.P. with responsibility for \$40MM portfolio. Degree. \$30,000</p> | <p>#8849 SENIOR OFFICER—Responsible for all lending in \$30MM bank. Previous duties include cashier function, instalment dept. head, and marketing area. \$30,000</p> |
| | <p>#8903 MARKETING DIRECTOR—Has managed marketing program for aggressive \$150MM bank. Currently financial marketing specialist for agency. Degree. \$30,000</p> |

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in Des Moines on the application of Hills Bank & Trust Co. to open an office in Iowa City. The town of Hills annexed the five mile railroad right of way connecting the two communities. John Hughes, president of the bank, said the bank feels this makes Hills a contiguous part of the urban complex composed of Iowa City, Coralville, University Heights, North Liberty and Hills, with population exceeding 50,000, thus making the bank eligible to have an office in Iowa City.

HUMBOLDT: G. Robert Bristol, vice president of the First National Bank, has resigned. He has been associated with the bank since 1948.

INDIANOLA: Beth McGeough was elected instalment loan officer at the Warren County Brenton Bank and Trust according to Eugene T. Smith, president. She joined the bank in 1973 as loan service teller.

JEFFERSON: Jefferson State Bank has announced that loan officer Paul Johnson has been promoted to assistant vice president and Dean Hicks has been elected to the board of directors. Mr. Johnson joined the ag lending department in 1978. Mr. Hicks most recently was named senior vice president of Jefferson State.

LYTTON: The Lytton Savings Bank has announced that Dwight K. Conover has been elected executive vice president and

cashier. For the past six years he has been employed at Fidelity Brenton Bank in Marshalltown.

MISSOURI VALLEY: First National Bank has announced the addition of Gregory D. Pollard to the staff. He will hold the office of vice president and agricultural representative.

OSCEOLA: C. Ted Davis has been named vice president of the Clarke County State Bank. He has worked for over 10 years in eastern and northeastern Iowa for the Federal Deposit Insurance Corporation.

THURMAN: The Thurman State Bank is holding an open house for the general public to view their new banking facilities January 23 and 24.

VAN HORNE: Keith Lazar, cashier, Tama St. Bk., has been named c.e.o. of Van Horne Sav. Bk., according to William Beohm, major stockholder of both banks. Mr. Lazar replaces John Hensley.

WATERLOO: Peoples Bank & Trust Co. has promoted Don Porchet, an employe at the bank since 1957, to executive vice president, and elected John L. Calton executive vice president of Peoples Bankshares, Ltd., a one-bank holding company that owns the bank's common stock. Mr. Calton joined the bank in 1969.

WAVERLY: Fred W. Hagemann has been appointed president and



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chief executive officer of the State Bank. He succeeds his father, Carl E. Hagemann, who has been named chairman of the board. Fred Hagemann was formerly executive vice president of State Bank.

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rich, formerly with Bank of Newport Beach, Calif., has joined the West Branch St. Bk., as v.p.

Illinois News

The 33rd annual Illinois Bankers Association Consumer Credit Conference titled "Exploring Modern Lending" will be held February 11-12, 1981 at the Hyatt Regency O'Hare, Rosemont. Topics covered will include "Managing People For Fun and Profit," "How to Get Rich and Stay Rich," "Things I Shouldn't Do," and "The Future of Consumer Credit." The registration fee is \$80 per bank for IBA member banks and \$120 per bank for non-IBA members. Registration begins at 8:00 a.m. February 11.

REYNOLDS: Services were held recently for H. Byron Wait, 75, president of the Reynolds State Bank.

Nebraska News

The Nebraska Bankers Association 1981 Personnel Conference will be held February 4 and 5, 1981 at the Holiday Inn in Kearney. Registration begins at 11:00 a.m. February 4. Topics covered will include "Who are the People Targeting Banks," "Affirmative Action Programs for Banks" and "Administering a Personnel Program for Your Bank." Adjournment is 12:00 noon February 5.

The Nebraska Bankers Association 1981 Bank Presidents Conference will be February 19-24 in Walt Disney World, Orlando, Florida. The program will include "Creative Thinking/Creative Banking," by Mike Vance, former dean of Disney

University, "Retail Banking in the '80s," by John Fisher, BANC ONE Corp., and "Economic Outlook," by Dr. Robert Lanzillotti, dean of the business college at the University of Florida. Registration fee is \$210 per person.

COLUMBUS: Larry D. Harkrader has assumed duties as cashier and operations officer of First National Bank and Trust Co. He has served as an instructor for the American Institute of Banking.

CRAWFORD: Linda Reins has been named vice president of the Crawford State Bank. She held a similar position with the Albion National Bank the last seven years.

GRAND ISLAND: Dr. John A. Albers and Jon F. Luebs have been named to the board of directors of Five Points Bank. Dr. Albers is in private practice with Orthopedic Associates. Mr. Luebs is executive vice president of Five Points.

NEBRASKA CITY: John W. Seim has joined the staff at Otoe County National Bank as vice president. He was previously vice president at Hershey State Bank.

OMAHA: The Center Bank promoted Thomas J. Jaksich and James K. Sterling from assistant vice president to vice president. Mr. Jaksich joined the bank in 1972. Mr. Sterling has been with the bank more than 10 years. Personnel officer Anne R. Jensen also was promoted to assistant vice president.

OMAHA: Kenneth Kroeker and Gary Thrasher have been promoted to senior vice president at Omaha National Bank. Promoted to second vice president are James R. Hill, Mary Sturm and Daniel J. Wintz.

North Dakota News

The 20th Annual North Dakota Bankers Association "Bank Man-

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agement Conference" will be held at the Bismarck Holiday Inn February 11 and 12, 1981. Registration begins 11:00 a.m. February 11. Registration fee is \$85. Speakers will include Lee Gunderson, American Bankers Association president; Harry J. Argue, NDBA executive director, and Kevin P. Phillips, editor-publisher, the American Political Research Corp. Adjournment will be at 12:00 noon February 12.

PAGE: R. Paul Pederson, president of Page State Bank, has announced that Merland L. Carlson has been promoted from cashier to executive vice president and a member of the board of directors, and Janeen Conrad has been promoted to assistant cashier.

Colorado News

WESTMINSTER: Thomas M. Jones has been named president of Citizens Bank. He was formerly executive vice president and succeeds Donald K. Hogoboom. He has been with the bank since it was chartered in 1970.

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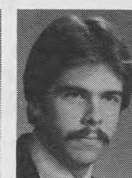
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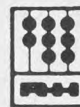
LENDER—At least 2 years of experience in handling installment loans, student loans, mastercharge, direct & indirect loans. \$17,000.

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