

Original sponsor: Rules Committee by
request of the Governor

Offered: 3/30/73
Referred: Rules

1 IN THE HOUSE

BY THE FINANCE COMMITTEE

2 2d FCS
2d SENATE CS FOR HOUSE BILL NO. 57

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to lending institutions; and providing
7 for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 43.70.030(b) is amended to read:

10 (b) The license fee for each national bank and state bank, trust
11 company and savings and loan association is six [TWO] per cent of its
12 net income. Net income means the taxable income of each such taxpayer
13 before net operating loss deduction and special deductions, computed
14 as required under the Internal Revenue Code of the United States and
15 includes all other income including income from federal, state or
16 municipal obligation but not including income from any obligation of
17 the state, political subdivisions of the state, and public corporations
18 of the state. Each of these taxpayers shall submit a copy of the
19 income tax return which it files with the United States Collector of
20 Internal Revenue and shall notify the commissioner of revenue in writing
21 of any alteration or modification of the federal income tax return and
22 of a recomputation of tax or determination of deficiency. The tax-
23 payer who files his federal return on a fiscal year basis shall in
24 addition submit a statement setting out all information which would be
25 required and reported in a federal income tax return prepared for the
26 calendar year. This statement shall be in the same form as a federal
27 income tax return and the net income shall be computed as required
28 under the Internal Revenue Code. The statement shall be submitted to
29 the commissioner of revenue before the sixteenth day of April after

1 the close of the calendar year.

2 * Sec. 2. AS 45.45.010(b) is repealed and re-enacted to read:

3 (b) During any calendar quarter no interest may be charged by
4 express agreement of the parties in a loan, contract or commitment
5 which is more than eight per cent a year, except that the eight per
cent a year rate may be exceeded under the following circumstances:

7 (1) in a loan not involving real estate or in a loan, con-
8 tract or commitment covering a one- to four-family dwelling the inter-
9 est rate may not exceed four percentage points above the annual rate
10 charged member banks for advances by the 12th Federal Reserve District
11 that prevailed on the first day of the month preceding the commencement
12 of that calendar quarter;

13 (2) in a loan, contract or commitment secured by a real
14 estate mortgage or trust deed, not covered in (1) of this subsection,
15 the interest rate may not exceed four and one-half percentage points
16 above the annual rate charged member banks for advances by the 12th
17 Federal Reserve District that prevailed on the first day of the month
18 preceding the commencement of that calendar quarter.

19 * Sec. 3. AS 45.45.010 is amended by adding new subsections to read:

20 (d) Notice of the annual rate charged member banks for advances
21 by the 12th Federal Reserve District prevailing on the first day of
22 the month preceding the commencement of each calendar quarter required
23 for the maximum interest rate computation under (b) of this section
24 shall be provided by the Department of Commerce.

25 (e) If the limitations on interest rates provided for in this
26 section are inconsistent with the provisions of any other statute
27 covering maximum service charges or discount rates, then the provisions
28 of such other statute shall prevail.

29 * Sec. 4. AS 45.45.010(c) is repealed.

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* Sec. 5. Section 1 is retroactive to January 1, 1973.

* Sec. 6. This Act takes effect on the day after its passage and approval or on the day it becomes law without approval.