

BANK MERGER APPLICATION PROCEDURES

(1) An application to merge one or more banks located in Montana pursuant to 32-1-370, MCA, must be on the Bank Merger Application form.

(2) An application to merge any two or more banks doing business in this state pursuant to 32-1-371, MCA, must be on the Bank Merger Application form.

(3) The application to merge must be filed with the Montana Division of Banking and Financial Institutions (division).

(4) The applicant bank(s) shall publish a notice in a newspaper of general circulation in the community in which the main office of each party to the transaction is located. If there is no such newspaper in the community, then the notice shall be published in a newspaper of general circulation published nearest to the community. The notice must run three times. It must be published once a week on the same day for two consecutive weeks and the last publication must be the 25th day after the first publication. If the newspaper does not publish on the 25th day, the notice must be published on the newspaper's publication date that most closely precedes the 25th day.

(5) The text of the public notice must include the following information:

(a) that an application for merger has been made to the Montana Commissioner of Banking;

(b) the name and address of all the parties to the merger;

(c) the identity of the surviving institution;

(d) that the public may submit comments to the Commissioner, Montana Division of Banking and Financial Institutions, P.O. Box 200546, Helena, Montana 59620-0546;

(e) the closing date of the public comment period; and

(f) that the nonconfidential portions of the application are on file with the division and are available for public inspection during regular business hours.

(6) The comment period must be 30 days.

(7) The notice may be combined with any notice of an applicable state or federal regulator and published jointly.

(8) The applicant(s) shall provide the affidavit(s) of publication to the division after it is received.