

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE BILL 644
Second Edition Engrossed 4/28/05
House Committee Substitute Favorable 7/6/05

Short Title: Exempt Banking Comm. Staff from SPA.

(Public)

Sponsors:

Referred to:

March 17, 2005

A BILL TO BE ENTITLED

AN ACT EXEMPTING THE EMPLOYEES OF THE STATE BANKING
COMMISSION FROM COVERAGE UNDER CERTAIN CLASSIFICATION
AND COMPENSATION RELATED PROVISIONS OF THE STATE
PERSONNEL ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 8 of Chapter 53 of the General Statutes is amended by
adding the following section to read:

**§ 53-96.1. Salaries, promotions, and leave of employees of the Office of the
Commissioner of Banks.**

(a) The Office of the Commissioner of Banks and its employees are exempt from
the classification and compensation rules established by the State Personnel
Commission pursuant to G.S. 126-4(1) through (4); G.S. 126-4(5) only as it applies to
hours and days of work, vacation and sick leave; G.S. 126-4(6) only as it applies to
promotion and transfer; G.S. 126-4(10) only as it applies to the prohibition of the
establishment of incentive pay programs; and Article 2 of Chapter 126 of the General
Statutes.

(b) The exemptions authorized by this section shall be used to develop
organizational and compensation innovations that will result in the enhanced efficiency
of operations. The Office of State Personnel shall assist the Commissioner of Banks in
the development and implementation of an organizational structure and human
resources programs that make the most appropriate use of the exemptions. The
Commissioner of Banks may, under the supervision of the Office of State Personnel,
undertake human resources demonstration projects to develop and implement
organizational and compensation innovations having the potential to benefit all State
agencies."

SECTION 2. G.S. 53-101 reads as rewritten:

§ 53-101. Clerical help.

1 The Commissioner of Banks is empowered to employ sufficient clerical and
2 secretarial help, and other necessary labor to conduct the affairs of ~~his—~~ the
3 Commissioner's office with economy and efficiency, efficiently and effectively. ~~Persons~~
4 ~~so employed shall be paid as other employees in the departments of the State and shall~~
5 ~~be under the same rules and regulations."~~

6 **SECTION 3.** By April 1, 2007, the Commissioner of Banks and the Office
7 of State Personnel shall report jointly to the General Assembly on the results of the
8 demonstration projects in meeting the agency's personnel needs and enhancing the
9 efficiency and effectiveness of its operations.

10 **SECTION 4.** This act is effective when it becomes law.