

**Office of State Budget and Management**  
**Establish New, Receipt-Supported Positions**  
(G.S. 143-34.1)

Agency: Commerce

Division: Office of the Commissioner of Banks

Budget Code: 4302      Center Title: Banking Commission

Center Number: 2811

**\*\*\* Position Information \*\*\***

Proposed Classification: Administrative Assistant II      Proposed Salary Grade: 65

Salary Range: \$27,818 - \$41,639

Proposed Effective Date: 05 / 01 / 06

Number of Positions: 1

|               | <u>Center Authorized Budget</u> | <u>Current Request</u> |
|---------------|---------------------------------|------------------------|
| Total Budget  | \$                              | \$                     |
| Receipts      | <u>\$9,288,941.00</u>           | <u>\$50,383</u>        |
| Appropriation | \$                              | \$                     |

Funding Source(s): #435400029 – Bank Assessments (over funded revenue)

**Justification for Position (including description of duties and responsibilities):**

The primary purpose of this position is to provide administrative assistance to the Chief Deputy Commissioner who manages bank supervision and administrative services for the Office of the Commissioner of Banks. With the 2005 exemption of OCOB from certain portions of the State Personnel Act and tremendous increases in agency regulation, additional staff is necessary in meeting the needs of this organization.

**This position will:**

- Provide assistance to the Chief Deputy Commissioner in maintaining good communication and coordination between the areas of assignment in meeting established goals and objectives of OCOB.
- Keep abreast of legislation development in all aspects of the regulation of financial institutions and administrative law.
- Provide administrative assistance in drafting proposed legislation and policy revisions for the Chief Deputy.
- Provide administrative assistance in the area of human resource issues for the Deputy.
- Provide all administrative functions for the Deputy Commissioner as required (travel, scheduling, etc.)
- Provide administrative assistance to the Human Resource Administrator by processing and managing personnel actions as required.

The work performed will be under general direction of the Chief Deputy Commissioner with considerable latitude for the exercise of independent judgment and initiative. The work will be reviewed through conferences and evaluation of results.

Statutory Reference for Request

- G.S. 53-122 (d) & (e) provides guidance for use of current funds and cash reserves as well as our ability to increase or decrease our assessments to meet our budgetary needs.
- G.S. 53-93.1 / -101 / & 117 support the commissioner's ability to hire what he needs.

Shannon Holley, CPA

Presentation to be made by

CFO

Title

[Signature]  
Agency Head Signature

[Signature]  
State Budget Officer Signature

OK  
Shannon Holley  
4/4/06

**Office of State Budget and Management**  
**Establish New, Receipt-Supported Positions**  
(G.S. 143-34.1)

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Proposed Classification: Administrative Assistant II      Proposed Salary Grade: 65

Salary Range: \$27,818 - \$41,639

Proposed Effective Date: 05 / 01 / 06

Number of Positions: 1

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|---------------|---------------------------------|------------------------|
| Total Budget  | \$                              | \$                     |
| Receipts      | <u>\$9,288,941.00</u>           | <u>\$50,383</u>        |
| Appropriation | \$ -                            | \$ -                   |

Funding Source(s): #435400029 – Bank Assessments (over funded revenue)

Justification for Position (including description of duties and responsibilities):

The primary purpose of this position is to provide administrative assistance to the Deputy Commissioner managing non-depository entities regulated by the Office of the Commissioner of Banks (OCOB), consumer affairs/investigative section, and legal affairs. With the 2005 exemption of OCOB from certain portions of the State Personnel Act and tremendous increases in agency regulation, additional staff is necessary in meeting the needs of this organization.

This position will:

- Provide assistance to the Deputy Commissioner in maintaining good communication and coordination between the areas of assignment in meeting established goals and objectives of OCOB. This includes Consumer Industries, Mortgage, Investigations, Customer Assistance Group, and Legal Affairs.
- Keep abreast of legislation development in all aspects of the regulation of financial institutions and administrative law.
- Provide administrative assistance in drafting proposed legislation and policy revisions for the Deputy.
- Provide administrative assistance in the area of human resource issues for the Deputy.
- Provide all administrative functions for the Deputy Commissioner as required (travel, scheduling, etc.)

The work performed will be under general direction of the Deputy Commissioner with considerable latitude for the exercise of independent judgment and initiative. The work will be reviewed through conferences and evaluation of results.

Statutory Reference for Request

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-G.S. 53-93.1 / -101 / & 117 support the commissioner's ability to hire what he needs.

Shannon Hobley, CPA

Presentation to be made by

CFO

Title

[Signature]  
Agency Head Signature

[Signature]  
State Budget Officer Signature

OK  
Shannon Hobley  
4/4/06

**Office of State Budget and Management**  
**Establish New, Receipt-Supported Positions**  
(G.S. 143-34.1)

Agency: Commerce

Division: Office of the Commissioner of Banks

Budget Code: 4302 Center Title: Banking Commission

Center Number: 2811

**\*\*\* Position Information \*\*\***

Proposed Classification: Deputy Commissioner of Banks Proposed Salary Grade: 84

Salary Range: \$61,967 - \$99,182

Proposed Effective Date: 05 / 01 / 06

Number of Positions: 1

|               | <u>Center Authorized Budget</u> | <u>Current Request</u> |
|---------------|---------------------------------|------------------------|
| Total Budget  | \$                              | \$                     |
| Receipts      | <u>\$9,288,941.00</u>           | <u>\$114,950.00</u>    |
| Appropriation | <u>-</u>                        | <u>-</u>               |

Funding Source(s):#435400029 – Bank Assessments (overfunded revenue). NC Banking Commission is a 100% receipt – supported agency receiving no appropriations from the general fund.

**Justification for Position (including description of duties and responsibilities):**

The increased complexity of work level within the four major areas of this agency has made it critical to establish a Deputy Commissioner position in order to carry out the duties and responsibilities directed by the Commissioner of Banks. Those four major areas are: administration, bank supervision, legal affairs (including consumer affairs and investigations), and the non-depository entities. This agency will be going through many organizational changes within the next fiscal year to meet the needs of the Office of the Commissioner of Banks.

In the past five years, this agency has increased its regulatory responsibilities tremendously. Supervised state-chartered banks have grown in number from 63 at the end of 2000 to 89 as of December 31, 2005. The total assets of these institutions, which are overseen by this agency, have grown from approximately \$91.3 billion to well over \$146.8 billion during the same period. Mortgage companies have increased in number in this state from 697 in 2002 to almost 1545 as of December 31, 2005; in 2002 new legislation replaced the registering of mortgage companies to licensing and registration of each individual mortgage loan officer, a total of 15,725 as of February 28, 2006.

These tremendous increases in agency regulation, along with the planning of succession (retirement of the above directors is within 5 years), requires changes in the administrative management within the agency to maintain continuity for the safety and soundness of our state financial institutions.

This position is to be permanent full-time exempt (“..serve at the Commissioner’s pleasure”). This request is based on G.S. 53-93.1, Section 1 (b): “In addition to the chief deputy commissioner authorized by subsection (a) of this section, the Commissioner of Banks may appoint deputy commissioners to serve at the Commissioner’s pleasure. The deputy commissioners authorized by this subsection shall perform any duties and exercise any powers directed by the Commissioner”.

This Deputy Commissioner position will have complete operational responsibility for non-depository entities regulated by the Office of the Commissioner of Banks (consumer finance companies, check cashers, money transmitters, tax refund

anticipation loan facilitators, mortgage bankers/brokers, loan officers, and reverse mortgage lenders), the consumer affairs/investigative section, and legal. The work performed will be under general direction of the Commissioner of Banks with considerable latitude for the exercise of independent judgment and initiative. The work will be reviewed through conferences and evaluation of results.

Some examples of work will encompass developing and evaluating regulatory and operational policies and procedures by the Banking Commission resulting from changes in economic, statutory, business, and other conditions. Directing and conducting research studies, and analyzing the findings. Recommending, drafting, and reviewing proposed legislation and policy revisions for the above areas of supervision. This position will oversee the case management system of the consumer affairs/investigative group and legal activities. This position will supervise the Directors of the above areas developing and implementing systems and methods for monitoring the performance of the division's work.

Statutory Reference for Request

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-G.S. 53-93.1 / -101 / & 117 support the commissioner's ability to hire what he needs.

Shannon Holby, CPA  
Presentation to be made by

CFO  
Title

[Signature]  
Agency Head Signature

[Signature]  
State Budget Officer Signature

OK  
James Clark  
4/17/06

**Office of State Budget and Management**  
**Establish New, Receipt-Supported Positions**  
(G.S. 143-34.1)

Agency: Commerce

Division: Office of the Commissioner of Banks

Budget Code: 4302      Center Title: Banking Commission

Center Number: 2811

**\*\*\* Position Information \*\*\***

Proposed Classification: Personnel Technician II      Proposed Salary Grade: 66

Salary Range: \$28,888 - \$43,460

Proposed Effective Date: 05 / 01 / 06

Number of Positions: 1

|               | <u>Center Authorized Budget</u> | <u>Current Request</u> |
|---------------|---------------------------------|------------------------|
| Total Budget  | \$                              | \$                     |
| Receipts      | <u>\$9,288,941.00</u>           | <u>\$52,587</u>        |
| Appropriation | \$                              | \$                     |

Funding Source(s): #435400029 – Bank Assessments (over funded revenue)

**Justification for Position (including description of duties and responsibilities):**

During the 2005 legislative session, the Office of the Commissioner of Banks (OCOB) was approved for exemption from certain classification and compensation related provisions of the State Personnel Act. With this responsibility it has become apparent that the human resources area will require additional staff members in meeting the needs of the organization, and carrying out the initiatives of this exemption. It is one of OCOB's goals to develop and implement a high quality, efficient, and effective human resources program. The current human resource position, and this position, will work closely with the Office of State Personnel in developing a compensation package to recruit and retain highly skilled and motivated employees.

The primary purpose of this position is to work in concert with the Office of the Commissioner of Banks' current human resource administrator. The work will be comparable, therefore providing back-up in the human resource unit, and assistance to employees at all times. This position will:

- Assist in the orientation of new employees – prepare orientation program and information packages;
- Serve as health benefits representative – consult with employees on the health insurance options. This position will assist with enrollment, changes, or problems with claims;
- Counsel employees on retirement benefits and process retirement forms;
- Counsel employees on workers' compensation, short and long term disability, voluntary shared leave, and family and medical leave;
- Coordinate blood drives;
- And assist in other human resource areas which will include employment and selection, performance management, and employee relations.

The work performed will be under general direction of the Lead Personnel Technician II with considerable latitude for the exercise of independent judgment and initiative. The work will be reviewed through conferences and evaluation of results.

Statutory Reference for Request

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-G.S. 53-93.1 / -101 / & 117 support the commissioner's ability to hire what he needs.

Shannan Holley, CPA

Presentation to be made by

CFO

Title

[Signature]  
Agency Head Signature

[Signature]  
State Budget Officer Signature

OK  
James Chalk  
4/4/06