

*As Amended by Senate Committee*

*Session of 2012*

**SENATE BILL No. 315**

By Committee on Financial Institutions and Insurance

1-20

1 AN ACT concerning the office of the state bank commissioner; pertaining  
2 to certain positions in the unclassified service; amending K.S.A. 2011  
3 Supp. 75-2935b, 75-3135 and 75-3135a and repealing the existing  
4 sections.  
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 2011 Supp. 75-2935b is hereby amended to read as  
8 follows: 75-2935b. Salaries and other compensation of all persons who are  
9 within the unclassified service of the Kansas civil service act, and which  
10 salaries and other compensation are not fixed by statute, shall be subject to  
11 the approval of the governor and such salaries or other compensation shall  
12 not be paid until approved by the governor. The provisions of this section  
13 shall not apply to the salaries and other compensation of any officer or  
14 employee when such salary or other compensation is specifically  
15 prescribed by law, nor to officers and employees of elected state officials,  
16 officers and employees under the jurisdiction of the state board of regents,  
17 the executive secretary and other employees of the Kansas public  
18 employees retirement system that are in the unclassified service as  
19 specified under K.S.A. 74-4908, and amendments thereto, ~~officers and~~  
20 ~~employees of Kansas, Inc. attorneys, officers and employees of the office~~  
21 *of the state bank commissioner as specified under K.S.A. 75-2935, 75-*  
22 *3135 and 75-3135a, and amendments thereto, officers and employees*  
23 *under the jurisdiction of the supreme court, legislative officers and*  
24 *employees or officers and employees of any agency performing functions*  
25 *and duties primarily for the legislative branch.*

26 Sec. 2. K.S.A. 2011 Supp. 75-3135 is hereby amended to read as  
27 follows: 75-3135. (a) The bank commissioner shall receive an annual  
28 salary to be fixed by the governor with the approval of the state finance  
29 council. The bank commissioner is hereby authorized to appoint two  
30 deputy commissioners who shall be in the unclassified service under the  
31 Kansas civil service act and shall receive an annual salary ~~fixed by the~~  
32 ~~bank commissioner~~ *in accordance with an equitable salary schedule*  
33 *established by the bank commissioner for all unclassified positions. The*  
34 *salaries shall not exceed the average compensation of corresponding state*  
35 *regulatory positions in similar geographic areas. The bank commissioner's*  
36 *salary schedule shall be reported to the state banking board annually.*

1 (b) (1) The deputy commissioner of the banking division shall  
2 supervise all banks and trust companies as directed by the *bank*  
3 commissioner and shall perform such other duties as may be required by  
4 the *bank* commissioner.

5 (2) The deputy commissioner of the consumer and mortgage lending  
6 division shall supervise all consumer and mortgage lending functions as  
7 directed by the *bank* commissioner and shall perform such other duties as  
8 may be required by the *bank* commissioner.

9 (c) If the office of the *bank* commissioner is vacant or if the *bank*  
10 commissioner is absent or unable to act, the deputy commissioner of the  
11 banking division shall be the acting *bank* commissioner.

12 (d) (1) The deputy commissioner of the banking division shall have at  
13 least five ~~years'~~ *years* experience as a state bank officer or five ~~years'~~ *years*  
14 experience as a state or federal regulator.

15 (2) The deputy commissioner of consumer and mortgage lending  
16 shall have at least five ~~years'~~ *years* experience in consumer or mortgage  
17 lending, regulatory, legal or related experience.

18 (e) The bank commissioner is also authorized to appoint or contract  
19 for, in accordance with the civil service law, such special assistants and  
20 other employees as are necessary to properly discharge the duties of the  
21 office.

22 Sec. 3. K.S.A. 2011 Supp. 75-3135a is hereby amended to read as  
23 follows: 75-3135a. (a) Subject to the provisions of appropriation acts, the  
24 bank commissioner may appoint regional managers ~~and~~, financial  
25 examiner administrators, *case managers, examiners and a business*  
26 *manager* within the office of the state bank commissioner as determined  
27 necessary by the bank commissioner to effectively carry out the mission of  
28 the office. ~~All regional managers and financial examiner administrators~~  
29 *Each regional manager, financial examiner administrator, case manager,*  
30 *examiner or business manager* appointed after the effective date of this act  
31 shall be in the unclassified service under the Kansas civil service act, shall  
32 have special training and qualifications for such positions; *and* shall serve  
33 at the pleasure of the bank commissioner ~~and shall receive compensation~~  
34 ~~fixed by the bank commissioner and approved by the governor.~~ *The bank*  
35 *commissioner shall prepare and maintain an equitable salary schedule for*  
36 *such appointed positions.*

37 *The amount of compensation in the bank commissioner's salary*  
38 *schedule for such appointed positions in the unclassified service shall not*  
39 *exceed the average compensation of corresponding state regulatory*  
40 *positions in similar geographic areas. The bank commissioner's salary*  
41 *schedule for unclassified positions shall be reported to the state banking*  
42 *board annually.*

43 (b) Nothing in subsection (a) shall affect the classified status of any

1 person employed in the office of the state bank commissioner on the day  
2 immediately preceding the effective date of this act. The provisions of this  
3 subsection shall not be construed to limit the powers of the bank  
4 commissioner pursuant to K.S.A. 75-2948, and amendments thereto.

5 Sec. 4. K.S.A. 2011 Supp. 75-2935b, 75-3135 and 75-3135a are  
6 hereby repealed.

7 Sec. 5. This act shall take effect and be in force from and after its  
8 publication in the Kansas register.