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DATE: May 11, 2001

****AS PASSED BY THE LEGISLATURE****

CHAPTER #: 2001-348, Laws of Florida

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
LOCAL GOVERNMENT & VETERANS AFFAIRS
FINAL ANALYSIS – LOCAL LEGISLATION**

BILL #: HB 1903, 1st ENG

RELATING TO: Escambia Co. Civil Service System

SPONSOR(S): Representative Melvin

TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) LOCAL GOVERNMENT & VETERANS AFFAIRS (SGC) YEAS 8 NAYS 0
 - (2)
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

This bill amends the Escambia County Civil Service System Act.

This bill authorizes discretionary withdrawal of certain governmental agencies from the civil service system.

According to the Economic Impact Statement, this bill will result in decreased expenditures.

On May 2, 2001, the Senate adopted a floor amendment to the bill. On May 4, 2001, the House concurred and passed the bill as amended. The floor amendment is explained in this bill analysis. (See section V. "AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:".)

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The Escambia County Civil Service Act was enacted in 1974, through ch. 74-480, L.O.F. Since 1974, this Act has been amended sixteen times, through chs. 75-365, 75-369, 76-364, 76-369, 76-370, 77-548, 78-507, 79-453, 79-543, 82-293, 83-405, 88-552, 89-492, 91-335, 92-248, and 93-394.

In 1992, the Florida Legislature provided for the creation of the Escambia County Utilities Authority (ch. 92-248, L.O.F.)

The Escambia County Civil Service Act (Act) provides for a Civil Service Board, composed of five members, appointed by the Governor, and subject to Senate confirmation.

Members of the Board serve uncompensated, but are reimbursed for certain expenses.

The Board must meet at least once a month, and all meetings are open to the public.

A joint meeting is held annually, staffed by county and school district officers, to determine adjustments to pay ranges in the classified service.

The Act establishes the career Civil Service system as a permanent service and requires its application to all Escambia County employees, including employees of the Escambia County Utilities Authority, and non-instructional employees or positions of the District School Board. Certain positions are exempted from required career service, such as Governor appointees and elected officials, members of county and local boards, and members of advisory committees.

All classified employees, including deputy sheriffs, have the right to participate in collective bargaining.

The Circuit Court of Escambia County reviews Civil Service Board appeals.

Chapter 120, the Administrative Procedures Act, does not apply to the Civil Service Board.

C. EFFECT OF PROPOSED CHANGES:

This bill changes career civil service status for certain Escambia County employees from a mandatory requirement to a discretionary decision.

Specifically, this bill authorizes the Supervisor of Elections, the Tax Collector, the Property Appraiser, the Clerk of the Court, and the District School Board to withdraw, by majority vote, from the Civil Service System, through written notice to the Civil Service Board.

Certain positions, previously ineligible for career civil service, are now eligible, at the discretion of the appropriate, determining entities.

Certain positions continue to be exempt from career service, including elected officials or Governor appointees, members of county and local boards and county commissions, and members of advisory boards.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends subsection 7.1 of s. 7 of ch. 83-405, L.O.F., as amended by ch. 91-335, L.O.F. to provide that career civil service may be decided by a county constitutional officer or a majority vote of a local agency or board, removes automatic exemptions from career civil service, for the county attorney and employees, attorneys serving as legal counsel, consultants, the District School Board chief executive officer and all department heads, certain instructional and administrative personnel, various secretaries and directors, the chief executive officer of the board of county commissioners, and certain positions in the property appraiser's office, tax collector's office, clerk of courts' office, sheriff's department, comptroller's office, supervisor of election's office, the Santa Rosa Island Authority office, judicial offices, and certain student assistants.

Section 2. Amends s. 7.2 of s. 7 of ch. 83-405, L.O.F., as amended by ch. 91-335, L.O.F., to provide that the Supervisor of Elections, the Tax Collector, the Property Appraiser, the Clerk of the Court, and the District School Board may opt, by majority vote, to withdraw from the Civil Service System, through written notice to the Civil Service Board.

Section 3. Provides that this act takes effect upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN?

February 14, 2001

WHERE?

Pensacola News Journal

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

According to the Economic Impact Statement, this bill will decrease expenditures by about \$384,500, resulting in increased cost savings to the Escambia County School Board and School District.

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

This bill does not necessitate additional rulemaking authority.

C. OTHER COMMENTS:

N/A

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On May 2, 2001, the Senate adopted a floor amendment, to the bill, which narrows those local entities authorized to withdraw from civil service. On May 4, 2001, the House concurred in the amendment, and passed the bill, as amended.

VI. SIGNATURES:

COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

Staff Director:

Cindy M. Brown

Joan Highsmith-Smith

FINAL ANALYSIS PREPARED BY THE COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

Staff Director:

Cindy M. Brown

Joan Highsmith-Smith