

Bill No. SB 142

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Brown-Waite moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 6, line 22, through
15 page 7, line 13, delete those lines

16

17 and insert:

18 Section 6. Section 295.11, Florida Statutes, is
19 amended to read:

20 295.11 Investigation; administrative hearing for not
21 employing preferred applicant.--

22 (1) The Department of Veterans' Affairs or its
 23 designee shall, upon the written request of any person
 24 specified in s. 295.07, investigate any complaint filed with
 25 the department by such person when the person has applied to
 26 ~~made application with~~ any state agency or any agency of a
 27 political subdivision in ~~of~~ the state for a position of
 28 employment which was awarded to a nonveteran and the person
 29 feels aggrieved under this chapter. The Department of
 30 Veterans' Affairs shall review each case and may issue an
 31 opinion to the Public Employees Relations Commission as to the

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1 merit or lack of merit in each case. The Such investigation
2 must ~~shall~~ be accomplished within existing amounts
3 appropriated to the department.

4 (3) When a satisfactory resolution to the complaint is
5 not forthcoming, any the department of the state or political
6 subdivision in the state may its designee shall, upon written
7 request of the complainant and with advisory assistance from
8 the Department of Management Services, testify telephonically
9 or in person at the discretion of the Public Employees
10 Employee Relations Commission hearing as to the investigative
11 findings. The complainant, however, may be represented at the
12 hearing by counsel of his or her choice at his or her expense.

13 (4) Jurisdiction to effectuate the purposes of ss.
14 295.07-295.09 shall vest with the Public Employees Relations
15 Commission for appropriate administrative determination. If,
16 upon preliminary review of the Public Employees Relations
17 Commission, the commission agrees with the department's
18 determination that a case lacks merit and finds, in its
19 discretion, that there was a complete absence of justiciable
20 issues of either law or fact raised by the
21 veterans'-preference complaint, the Public Employees Relations
22 Commission shall dismiss the complaint without the necessity
23 of holding a hearing.

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25
26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 1, line 20, after the semicolon

29
30 insert:

31 providing for the dismissal of a complaint;