

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: March 19, 1998 Revised: \_\_\_\_\_

Subject: Parole Commission/Temporary Duty/Pay

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Barrow</u>	<u>Miller</u>	<u>CJ</u>	<u>Favorable</u>
2.	_____	_____	<u>WM</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

**I. Summary:**

Senate Bill 2162 would change the amount a temporary Parole Commissioner may be paid from \$100 per day to the amount that is established each year in the General Appropriations Act. The bill would be effective upon becoming law.

This bill substantially amends section 947.04 of the Florida Statutes.

**II. Present Situation:**

The Parole Commission is statutorily authorized to consist of three Parole Commissioners. Last year, Commissioner Maurice Crockett retired from the Parole Commission, leaving a vacancy on the commission. This position was filled in December 1997, by Commissioner Jimmy Henry. Despite having three commissioners on the Commission, the Parole Commission's workload has still necessitated additional assistance by a commissioner.

Section 947.04(1), F.S., authorizes the chairperson of the Parole Commission, subject to the approval by the Governor and the Cabinet, to assign consenting retired commissioners or former commissioners to temporary duty when there is a workload need. The law currently authorizes any temporary commissioner to be paid \$100 for each day, or any portion thereof for work expended for the commission. This amount breaks out to approximately \$12 per hour. The statute also provides for the temporary commissioner to be reimbursed for travel expenses as provided in s. 112.061, F.S. According to the Parole Commission, it is difficult to get former commissioners to work at the rate that is statutorily authorized.

Senate Bill 2500 (1998) as introduced contains the following appropriations for the Parole Commission for FY 1998-99:

Salaries and Benefits from General Revenue Fund . . . . .	\$ 7,514,930
Other Personal Services from General Revenue Fund . . . . .	333,751
Expenses from General Revenue Fund . . . . .	1,472,622
Operating Capital Outlay from General Revenue Fund . . . . .	67,061
Special Categories Risk Management Insurance from General Revenue Fund . . . . .	56,721
Special Categories Transfer to State Employees Health Insurance Trust Fund from General Revenue Fund . . . . .	78,698
Data Processing Services Law Enforcement Data Center from General Revenue Fund . . . . .	1,932
Data Processing Services Other Data Processing Services from General Revenue Fund . . . . .	434,331

Within this budget, the Parole Commission would be able to pay temporary commissioners a fee that is more reflective of the present-day economy and more adequately compensates a temporary commissioner for his or her services. However, there is no statutory authority that would allow a temporary commissioner to be paid in excess of \$100 per day and reimbursement for travel expenses.

**III. Effect of Proposed Changes:**

As needed and as approved by the Governor and Cabinet, temporary commissioners who perform work for the Parole Commission would be able to be paid in excess of \$100 per day for their services. The ability to pay temporary commissioners would be contingent upon annual legislative appropriations. Furthermore, the amount of money a temporary commissioner would be paid would be dictated by the General Appropriations Act each year.

The bill would become effective upon becoming law.

**IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

There is no mandatory fiscal impact upon the state if this bill passes. The bill is contingent upon annual appropriations by the Legislature for payment for temporary commissioners who may serve on the Parole Commission. See the present situation of this bill analysis for the Senate's current position on the budget of the Parole Commission for FY 1998-99 in SB 2500.

The Parole Commission is requesting that the amount of authorized payment for temporary commissioners be doubled from \$100 to \$200 per day. Currently, the Parole Commission spends approximately \$28,000 to \$30,000 annually. If the authorized amount is increased and funded by the Legislature, the total annual expenditure for temporary commissioners would be approximately \$56,000 to \$60,000.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.