

Bill No. CS for SB 1910

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Silver moved the following amendment:

**Senate Amendment (with title amendment)**

On page 1, line 18,

insert:

Section 1. Effective October 1, 1999, paragraph (h) of subsection (1) of section 121.055, Florida Statutes, 1998 Supplement, is amended to read:

121.055 Senior Management Service Class.--There is hereby established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class," which shall become effective February 1, 1987.

(h)1. Except as provided in subparagraph 3., effective January 1, 1994, participation in the Senior Management Service Class shall be compulsory for the State Courts Administrator and the Deputy State Courts Administrators, the Clerk of the Supreme Court, the Marshal of the Supreme Court, the Executive Director of the Justice Administrative Commission, the Capital Collateral Representative, the clerks

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1 of the district courts of appeals, the marshals of the  
2 district courts of appeals, and the trial court administrator  
3 in each judicial circuit. Effective January 1, 1994,  
4 additional positions in the offices of the state attorney and  
5 public defender in each judicial circuit may be designated for  
6 inclusion in the Senior Management Service Class of the  
7 Florida Retirement System, provided that:

8 a. Positions to be included in the class shall be  
9 designated by the state attorney or public defender, as  
10 appropriate. Notice of intent to designate positions for  
11 inclusion in the class shall be published once a week for 2  
12 consecutive weeks in a newspaper of general circulation  
13 published in the county or counties affected, as provided in  
14 chapter 50.

15 b. One nonelective full-time position may be  
16 designated for each state attorney and public defender  
17 reporting to the Division of Retirement; for agencies with 200  
18 or more regularly established positions under the state  
19 attorney or public defender, additional nonelective full-time  
20 positions may be designated, not to exceed 0.5 percent of the  
21 regularly established positions within the agency.

22 c. Each position added to the class must be a  
23 managerial or policymaking position filled by an employee who  
24 serves at the pleasure of the state attorney or public  
25 defender without civil service protection, and who:

26 (I) Heads an organizational unit; or

27 (II) Has responsibility to effect or recommend  
28 personnel, budget, expenditure, or policy decisions in his or  
29 her areas of responsibility.

30 2. Participation in this class shall be compulsory,  
31 except as provided in subparagraph 3., for any judicial

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1 employee who holds a position designated for coverage in the  
 2 Senior Management Service Class and such participation shall  
 3 continue until the employee terminates employment in a covered  
 4 position. Effective January 1, 2000, participation in this  
 5 class shall be compulsory for assistant state attorneys,  
 6 assistant statewide prosecutors, and assistant public  
 7 defenders.

8           3. In lieu of participation in the Senior Management  
 9 Service Class, such members may participate in the Senior  
 10 Management Service Optional Annuity Program as established in  
 11 subsection (6).

12           Section 2. The state courts are authorized to pay  
 13 Selected Exempt Service benefits to all judicial assistants  
 14 within the state courts system. This section takes effect  
 15 October 1, 1999.

16  
 17 (Redesignate subsequent sections.)

18  
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20 ===== T I T L E   A M E N D M E N T =====

21 And the title is amended as follows:

22           On page 1, lines 2 and 3, delete those lines

23

24 and insert:

25           An act relating to employees within the  
 26           judicial branch; amending s. 121.055, F.S.;  
 27           adding assistant state attorneys, assistant  
 28           statewide prosecutors, and assistant public  
 29           defenders to the Senior Management Service  
 30           Class of the Florida Retirement System;  
 31           authorizing the state courts to pay Selected

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Exempt Service benefits to judicial assistants;