

**STORAGE NAME:** h1649a.go

**DATE:** April 6, 2000

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
GOVERNMENTAL OPERATIONS  
ANALYSIS - LOCAL LEGISLATION**

**BILL #:** HB 1649

**RELATING TO:** Civil Service Act of 2000

**SPONSOR(S):** Representative Wallace and others

**TIED BILL(S):**

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

- (1) GOVERNMENTAL OPERATIONS YEAS 4 NAYS 0
  - (2) COMMUNITY AFFAIRS
  - (3)
  - (4)
  - (5)
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**I. SUMMARY:**

This bill updates, revises, and codifies amendments to ch. 96-519, Laws of Florida.

Most of the updates are related to terminology, or the location of language.

This bill does, however, make some substantive changes. It:

- Removes secretaries and administrative aides to judges from exempt service;
- Provides for an annual budget;
- Requires meetings to be open to the public;
- Requires the adoption of written bylaws;
- Provides that legal counsel be employed, or contracted;
- Requires the Board to offer the same benefits to its employees as those offered by the Commission;
- Authorizes travel and reimbursement for employees and Board members;
- Removes the requirement that applicants be ranked by relative qualifications;
- Requires copies of records to be available upon request (except when exempt);and
- Removes the entire Section related to Performance Audits.

Many of the revisions are, in effect, documenting current practices, and others are new.

This bill has an effective date of upon becoming a law.

This bill has no anticipated fiscal impact.

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 Civil Service Law was last codified in 1996, and has subsequently been amended seven times. The Delegation Oversight Committee recommended, with concurrence of the executive director of the Civil Service Board, recodification during the 2000 Session of the Legislature.

The Committee on Community Affairs of the Florida House of Representatives reviewed proposed changes in 1999.

C. EFFECT OF PROPOSED CHANGES:

**Section 1** - Specifies that *this act supersedes ch. 96-519, L.O.F.* Existing law specifies that ch. 85-424, L.O.F., is superseded.

**Section 2** - Replaces the term "handicap", with the term "disability".

**Section 3** - Updates the short title to reflect the year 2000, rather than 1996.

**Section 4** - Replaces references to Hillsborough County, and board of county commissioners, with references to "County", and the "commission".

**Section 5** - Defines the terms: "Board", as the County Civil Service Board; "Commission", as the board of county commissioners of the county; "County", as Hillsborough County, Florida (these changes are added for streamlining, and clarity); "Grievance", as any dispute or disagreement involving wages, hours of work, or conditions of employment between an employee and management. This Section also makes a technical change in the definition of the term "Substitute employee".

**Section 6** - Removes secretaries, and administrative aides to judges, from exempt service.

**Section 7** - Conforms terminology to other Sections, provides for gender-diverse terminology, and rearranges portions to be better aligned with the three divisions in this Section: Creation of The Board, Method of Conducting Business, and Powers and Duties.

Substantive changes include provisions requiring the Board to: 1) conduct business of the district, including establishing an annual budget, 2) encumber and expend the funds

appropriated for the purposes of this act, utilizing the policies and practices of the departments under the Commission, 3) have meetings open to the public in accordance with general law, 4) adopt written bylaws for internal governance (including those related to the election of officers and standard operating procedures), 5) *remove from those employed, legal counsel*, 6) employ personnel to the extent such employment is within the scope of its budget, including employing or contracting for legal counsel, 7) *offer the employees of the Board the same benefits*, including retirement, life & health insurance, and other benefits and options, *as the Commission offers*, 8) *authorize employees to attend conferences and travel* on behalf of the Board, and *reimburse such employees for related costs*, 9) *reimburse members of the Board for per diem and mileage* in connection with the performance of official duties 10) *remove the requirement that a determination of relative qualifications be ascertained* among those seeking employment, 11) make copies of records available, upon request, except those exempt pursuant to general law, and 11) contract for performance audits as may be required by law.

**Section 8 - Removes the requirement that applicants for positions be ranked in the order of their relative excellence.** *This evaluation modification appears to apply to initial applicants, and those applying for promotions.* The removal of the current objective method of hiring and promotion does not appear to be replaced with another.

Another change in this Section transfers responsibility for making a notification to applicants about errors in qualifications assessments, *from the Civil Service Office, to the Board Office.*

**Section 9 -** Makes a technical change.

**Section 10 -** Makes a conforming change in terminology.

**Section 11 -** Makes conforming changes in terminology.

**Section 12 -** Makes no changes.

**Section 13 -** Makes a conforming change in terminology.

**Section 14 -** Makes a conforming change in terminology.

**Section 15 -** Makes conforming changes in terminology, and transfers a salary reference to Section 7 (Powers and Duties).

**Section 16 -** Makes conforming changes in terminology.

**Section 17 -** Makes no changes.

**Section 18 -** Makes a technical change, and a conforming change in terminology, referring to a leave of absence, as "leave".

**Section 19 -** Makes a technical change in terminology.

**Section 20 -** Makes no changes.

**Section 21 - Removes the entire Section pertaining to Performance Audits.** This Section included a provision for a Performance Audit due April 30, 2004, and provisions as to the

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content of such audits, payment for such audits, reports, responses, and recommendations. (The old Section 22 - Violation of Act; Penalty - has been renumbered as Section 21)

**Section 22** - Requires the County Legislative Delegation to review the act prior to the end of 2010, and every 10 years thereafter to determine if there is a need for further codification. (Old Section 23 - Recodification - has been renumbered as Section 22)

**Section 23** - Makes no changes except the old Section 24 - Severability - has been renumbered as Section 23.

**Section 24** - Makes no changes except the old Section 25 related to repealed laws, has been renumbered as Section 24.

**Section 25** - Provides an effective date of upon becoming a law. (Old Section 26 - related to the effective date - has been renumbered as Section 25)

D. SECTION-BY-SECTION ANALYSIS:

See II C., EFFECT OF PROPOSED CHANGES.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? January 25, 2000.

WHERE? The Saint Petersburg Times, Saint Petersburg, Florida.

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

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

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C. OTHER COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

At its meeting on April 5, 2000, the Committee on Governmental Operations adopted two amendments to this bill. The first added a definition for "certified employment lists", and the second added "discipline, and terminate" a director, to the board's duty to employ a director. The amendments are traveling with the bill, which was reported favorably.

VI. SIGNATURES:

COMMITTEE ON GOVERNMENTAL OPERATIONS:

Prepared by:

Staff Director:

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Russell J. Cyphers, Jr.

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Jimmy O. Helms