

By Senator Saunders

25-723-01

1 A bill to be entitled
2 An act relating to preference in appointment
3 and retention of public employees; amending s.
4 295.07, F.S.; eliminating the exemption of the
5 positions of city and county managers,
6 management positions, and policymaking
7 positions from being subject to certain
8 preference for military service; providing an
9 effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 295.07, Florida Statutes, is
14 amended to read:

15 295.07 Preference in appointment and retention.--

16 (1) The state and political subdivisions in the state
17 shall give preference in appointment and retention in
18 positions of employment to:

19 (a) Those disabled veterans:

20 1. Who have served on active duty in any branch of the
21 Armed Forces of the United States, have been separated
22 therefrom under honorable conditions, and have established the
23 present existence of a service-connected disability which is
24 compensable under public laws administered by the U.S.
25 Department of Veterans' Affairs, or

26 2. Who are receiving compensation, disability
27 retirement benefits, or pension by reason of public laws
28 administered by the U.S. Department of Veterans' Affairs and
29 the Department of Defense.

30 (b) The spouse of any person who has a total
31 disability, permanent in nature, resulting from a

1 service-connected disability and who, because of this
2 disability, cannot qualify for employment, and the spouse of
3 any person missing in action, captured in line of duty by a
4 hostile force, or forcibly detained or interned in line of
5 duty by a foreign government or power.

6 (c) A veteran of any war as defined in s. 1.01(14).

7 (d) The unremarried widow or widower of a veteran who
8 died of a service-connected disability.

9 (2) The Department of Veterans' Affairs shall adopt
10 rules to ensure that veterans are given special consideration
11 in the employing agency's selection and retention processes.
12 The rules must include the award of point values as
13 articulated in s. 295.08, if applicable, or, where point
14 values are not relevant, must include procedures to ensure
15 that veterans are given special consideration at each step of
16 the employment selection process, unless the sponsoring
17 governmental entity is a party to a collective bargaining
18 agreement, in which case the collective bargaining agreement
19 must comply within 90 days following ratification of a
20 successor collective bargaining agreement or extension of any
21 existing collective bargaining agreement.

22 (3) Preference in employment and retention may be
23 given only to eligible persons who are described in subsection
24 (1) and who are residents of this state.

25 (4) The following positions are exempt from this
26 section:

27 (a) Those positions that are exempt from the state
28 Career Service System under s. 110.205(2); however, all
29 positions under the University Support Personnel System of the
30 State University System as well as all Career Service System
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1 positions under the Florida Community College System and the
2 School for the Deaf and the Blind are included.

3 (b) Positions in political subdivisions of the state
4 which are filled by officers elected by popular vote or
5 persons appointed to fill vacancies in such offices and the
6 personal secretary of each such officer, members of boards and
7 commissions, persons employed on a temporary basis without
8 benefits, ~~city managers and county managers,~~heads of
9 departments, ~~management positions, policymaking positions,~~
10 positions that require licensure as a physician, licensure as
11 an osteopathic physician, licensure as a chiropractic
12 physician, and positions that require that the employee be a
13 member of The Florida Bar.

14 Section 2. This act shall take effect July 1, 2001.

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SENATE SUMMARY

Eliminates the exemption of the positions of city and county managers, management positions, and policymaking positions from being subject to certain preferences in appointment based on military service.