

Bill No. CS for SB 2224

Amendment No. 11 Barcode 115150

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Governmental Oversight and Productivity recommended the following amendment:

Senate Amendment (with title amendment)

On page 167, between lines 22 and 23,

insert:

Section 59. Subsections (1), (4), and (5) of section 443.012, Florida Statutes, are amended to read:

443.012 Unemployment Appeals Commission.--

(1) There is created within the Agency for Workforce Innovation ~~Department of Labor and Employment Security~~ an Unemployment Appeals Commission, hereinafter referred to as the "commission." The commission shall consist of a chair and two other members to be appointed by the Governor, subject to confirmation by the Senate. Not more than one appointee must be a person who, on account of previous vocation, employment, or affiliation, is classified as a representative of employers; and not more than one such appointee must be a person who, on account of previous vocation, employment, or affiliation, is classified as a representative of employees.

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1 (a) The chair shall devote his or her entire time to
2 commission duties and shall be responsible for the
3 administrative functions of the commission.

4 (b) The chair shall have the authority to appoint a
5 general counsel and such other personnel as may be necessary
6 to carry out the duties and responsibilities of the
7 commission.

8 (c) The chair shall have the qualifications required
9 by law for a judge of the circuit court and shall not engage
10 in any other business vocation or employment. Notwithstanding
11 any other provisions of existing law, the chair shall be paid
12 a salary equal to that paid under state law to a judge of the
13 circuit court.

14 (d) The remaining members shall be paid a stipend of
15 \$100 for each day they are engaged in the work of the
16 commission. The chair and other members shall also be
17 reimbursed for travel expenses, as provided in s. 112.061.

18 (e) The total salary and travel expenses of each
19 member of the commission shall be paid from the Employment
20 Security Administration Trust Fund.

21 (4) The property, personnel, and appropriations
22 relating to the specified authority, powers, duties, and
23 responsibilities of the commission shall be provided to the
24 commission by the Agency for Workforce Innovation Department
25 ~~of Labor and Employment Security~~.

26 (5) The commission shall not be subject to control,
27 supervision, or direction by the Agency for Workforce
28 Innovation Department of Labor and Employment Security in the
29 performance of its powers and duties under this chapter.

30 Section 60. Subsection (12) of section 443.036,
31 Florida Statutes, is amended to read:

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1 443.036 Definitions.--As used in this chapter, unless
2 the context clearly requires otherwise:

3 (12) COMMISSION.--"Commission" means the Unemployment
4 Appeals Commission of the Department of Labor and Employment
5 Security.

6 Section 61. Subsection (3) of section 447.02, Florida
7 Statutes, is amended to read:

8 447.02 Definitions.--The following terms, when used in
9 this chapter, shall have the meanings ascribed to them in this
10 section:

11 (3) The term "department" means the Department of
12 Business and Professional Regulation ~~Labor and Employment~~
13 ~~Security~~.

14 Section 62. Subsections (1), (3), and (4) of section
15 447.205, Florida Statutes, are amended to read:

16 447.205 Public Employees Relations Commission.--

17 (1) There is hereby created within the Department of
18 Management Services ~~Labor and Employment Security~~ the Public
19 Employees Relations Commission, hereinafter referred to as the
20 "commission." The commission shall be composed of a chair and
21 two full-time members to be appointed by the Governor, subject
22 to confirmation by the Senate, from persons representative of
23 the public and known for their objective and independent
24 judgment, who shall not be employed by, or hold any commission
25 with, any governmental unit in the state or any employee
26 organization, as defined in this part, while in such office.
27 In no event shall more than one appointee be a person who, on
28 account of previous vocation, employment, or affiliation, is,
29 or has been, classified as a representative of employers; and
30 in no event shall more than one such appointee be a person
31 who, on account of previous vocation, employment, or

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1 affiliation, is, or has been, classified as a representative
2 of employees or employee organizations. The commissioners
3 shall devote full time to commission duties and shall not
4 engage in any other business, vocation, or employment while in
5 such office. ~~Beginning January 1, 1980, the chair shall be~~
6 ~~appointed for a term of 4 years, one commissioner for a term~~
7 ~~of 1 year, and one commissioner for a term of 2 years.~~
8 ~~Thereafter,~~ Every term of office shall be for 4 years; and
9 each term of the office of chair shall commence on January 1
10 of the second year following each regularly scheduled general
11 election at which a Governor is elected to a full term of
12 office. In the event of a vacancy prior to the expiration of
13 a term of office, an appointment shall be made for the
14 unexpired term of that office. The chair shall be responsible
15 for the administrative functions of the commission and shall
16 have the authority to employ such personnel as may be
17 necessary to carry out the provisions of this part. Once
18 appointed to the office of chair, the chair shall serve as
19 chair for the duration of the term of office of chair.
20 Nothing contained herein prohibits a chair or commissioner
21 from serving multiple terms.

22 (3) The commission, in the performance of its powers
23 and duties under this part, shall not be subject to control,
24 supervision, or direction by the Department of Management
25 ~~Services Labor and Employment Security~~.

26 (4) The property, personnel, and appropriations
27 related to the commission's specified authority, powers,
28 duties, and responsibilities shall be provided to the
29 commission by the Department of Management Services ~~Labor and~~
30 ~~Employment Security~~.

31 Section 63. Subsection (4) of section 447.305, Florida

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1 Statutes, is amended to read:

2 447.305 Registration of employee organization.--

3 (4) Notification of registrations and renewals of
4 registration shall be furnished at regular intervals by the
5 commission to the Department of Business and Professional
6 Regulation ~~Labor and Employment Security~~.

7 Section 64. Subsection (4) of section 450.012, Florida
8 Statutes, is amended to read:

9 450.012 Definitions.--For the purpose of this chapter,
10 the word, phrase, or term:

11 (4) "Department" means the Department of Business and
12 Professional Regulation ~~Labor and Employment Security~~.

13 Section 65. Paragraph (j) of subsection (1) of section
14 450.191, Florida Statutes, is amended to read:

15 450.191 Executive Office of the Governor; powers and
16 duties.--

17 (1) The Executive Office of the Governor is authorized
18 and directed to:

19 (j) Cooperate with the farm labor office of the
20 Department of Business and Professional Regulation ~~Labor and~~
21 ~~Employment Security~~ in the recruitment and referral of migrant
22 laborers and other persons for the planting, cultivation, and
23 harvesting of agricultural crops in Florida.

24 Section 66. Subsection (2) of section 450.28, Florida
25 Statutes, is amended to read:

26 450.28 Definitions.--

27 (2) "Department" means the Department of Business and
28 Professional Regulation ~~Labor and Employment Security~~.

29 Section 67. Paragraph (1) of subsection (2) of section
30 110.205, Florida Statutes, is amended to read:

31 110.205 Career service; exemptions.--

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1 (2) EXEMPT POSITIONS.--The exempt positions which are
2 not covered by this part include the following, provided that
3 no position, except for positions established for a limited
4 period of time pursuant to paragraph (h), shall be exempted if
5 the position reports to a position in the career service:
6 (1) All assistant division director, deputy division
7 director, and bureau chief positions in any department, and
8 those positions determined by the department to have
9 managerial responsibilities comparable to such positions,
10 which positions include, but are not limited to, positions in
11 the Department of Health, the Department of Children and
12 Family Services, and the Department of Corrections that are
13 assigned primary duties of serving as the superintendent or
14 assistant superintendent, or warden or assistant warden, of an
15 institution; positions in the Department of Corrections that
16 are assigned primary duties of serving as the circuit
17 administrator or deputy circuit administrator; positions in
18 the Department of Transportation that are assigned primary
19 duties of serving as regional toll managers and managers of
20 offices as defined in s. 20.23(3)(d)3. and (4)(d); positions
21 in the Department of Environmental Protection that are
22 assigned the duty of an Environmental Administrator or program
23 administrator; ~~those positions described in s. 20.171 as~~
24 ~~included in the Senior Management Service~~ and positions in
25 the Department of Health that are assigned the duties of
26 Environmental Administrator, Assistant County Health
27 Department Director, and County Health Department Financial
28 Administrator. Unless otherwise fixed by law, the department
29 shall set the salary and benefits of these positions in
30 accordance with the rules established for the Selected Exempt
31 Service.

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(Redesignate subsequent sections.)

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

And the title is amended as follows:

On page 1, line 29, after the last comma,

insert:

443.012, 443.036, 447.02, 447.205, 447.305,
450.012, 450.191, 450.28, 110.205,