

781-122AX-06

Bill No. CS/HB 807

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

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Representative(s) Mahon offered the following:

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**Amendment (with title amendment)**

On page 2, line 31, of the bill

insert:

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Section 1. Paragraphs (e) and (h) of subsection (1) of section 121.055, Florida Statutes, are 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.

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(1)

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(e) Effective January 1, 1991, participation in the Senior Management Service Class shall be compulsory for the number of senior managers who have policymaking authority with the State Board of Administration, as determined by the Governor, Chief Financial Officer ~~Treasurer~~, and Attorney General ~~Comptroller~~ acting as the State Board of Administration, unless such member elects to participate in

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1 the Senior Management Service Optional Annuity Program as  
2 established in subsection (6) in lieu of participation in the  
3 Senior Management Service Class. Such election shall be made  
4 in writing and filed with the division and the personnel  
5 officer of the State Board of Administration within 90 days  
6 after becoming eligible for membership in the Senior  
7 Management Service Class.

8 (h)1. Except as provided in subparagraph 3., effective  
9 January 1, 1994, participation in the Senior Management  
10 Service Class shall be compulsory for the State Courts  
11 Administrator and the Deputy State Courts Administrators, the  
12 Clerk of the Supreme Court, the Marshal of the Supreme Court,  
13 the Executive Director of the Justice Administrative  
14 Commission, the Capital Collateral Regional Counsels, the  
15 clerks of the district courts of appeals, the marshals of the  
16 district courts of appeals, ~~and~~ the trial court administrator,  
17 and the Chief Deputy Court Administrator in each judicial  
18 circuit. Effective January 1, 1994, additional positions in  
19 the offices of the state attorney and public defender in each  
20 judicial circuit may be designated for inclusion in the Senior  
21 Management Service Class of the Florida Retirement System,  
22 provided that:

23 a. Positions to be included in the class shall be  
24 designated by the state attorney or public defender, as  
25 appropriate. Notice of intent to designate positions for  
26 inclusion in the class shall be published once a week for 2  
27 consecutive weeks in a newspaper of general circulation  
28 published in the county or counties affected, as provided in  
29 chapter 50.

30 b. One nonelective full-time position may be  
31 designated for each state attorney and public defender

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1 reporting to the Department of Management Services; for  
2 agencies with 200 or more regularly established positions  
3 under the state attorney or public defender, additional  
4 nonelective full-time positions may be designated, not to  
5 exceed 0.5 percent of the regularly established positions  
6 within the agency.

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

11 (I) Heads an organizational unit; or

12 (II) Has responsibility to effect or recommend  
13 personnel, budget, expenditure, or policy decisions in his or  
14 her areas of responsibility.

15 2. Participation in this class shall be compulsory,  
16 except as provided in subparagraph 3., for any judicial  
17 employee who holds a position designated for coverage in the  
18 Senior Management Service Class, and such participation shall  
19 continue until the employee terminates employment in a covered  
20 position. Effective January 1, 2001, participation in this  
21 class is compulsory for assistant state attorneys, assistant  
22 statewide prosecutors, assistant public defenders, and  
23 assistant capital collateral regional counsels. Effective  
24 January 1, 2002, participation in this class is compulsory for  
25 assistant attorneys general.

26 3. In lieu of participation in the Senior Management  
27 Service Class, such members, excluding assistant state  
28 attorneys, assistant public defenders, assistant statewide  
29 prosecutors, assistant attorneys general, and assistant  
30 capital collateral regional counsels, may participate in the  
31 Senior Management Service Optional Annuity Program as

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1 established in subsection (6).

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

5 And the title is amended as follows:

6 On page 1, line 3, after the semicolon

7

8 insert:

9 amending s. 121.055, F.S.; correcting reference

10 to the membership of the State Board of

11 Administration; including reference to the

12 Chief Deputy Court Administrator with respect

13 to compulsory membership in the Senior

14 Management Service Class;

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