

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ___ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Rulemaking & Regulation
2 Subcommittee
3 Representative Mayfield offered the following:
4

Amendment (with title amendment)

6 Remove lines 263-268 and insert:

7 Section 1. Chapter 110, Florida Statutes, is renamed
8 "State Personnel System."

9 Section 2. Part I of chapter 110, Florida Statutes, is
10 renamed "General Provisions."

11
12 Remove lines 505-512 and insert:

13 110.1055 Rules and rulemaking authority.-

14 The department ~~of Management Services~~ shall adopt rules as
15 necessary to effectuate the provisions of this chapter, ~~as~~
16 ~~amended by this act, and in accordance with the authority~~
17 ~~granted to the department in this chapter. All existing rules~~
18 ~~relating to this chapter are statutorily repealed January 1,~~
19 ~~2002, unless otherwise readopted.~~

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Remove lines 630-634 and lines 707-708 and lines 824-825 and lines 942-943 and lines 1054-1055 and lines 1104-1105 and lines 1120-1121 and lines 1140-1141 and lines 1210-1211 and lines 1710-1711 and lines 1759-1760 and lines 1847-1848 and lines 1888-1889 and lines 1909-1910 and lines 1942-1943 and lines 2126-2127 and lines 2332-2333 and lines 3602-3604

Remove lines 769-773 and insert:

~~(5) The Department of Management Services, in consultation with the agencies and, to the extent applicable, with Florida's public community colleges, public career centers, and public universities, shall adopt rules to administer this section.~~

Remove lines 893-896 and insert:

~~(6) The department shall review and monitor executive agency actions in carrying out the rules adopted by the department pursuant to this section.~~

Remove line 909 and insert:

The department ~~of Management Services~~ shall establish

Remove lines 1312-1314 and insert:

Section 22. Part II of chapter 110, Florida Statutes, is renamed "Civil Service."

Remove lines 1866-1869 and insert:

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47 ~~(4) All recruitment literature involving state position~~
48 ~~vacancies shall contain the phrase "An Equal Opportunity~~
49 ~~Employer/Affirmative Action Employer."~~

50
51 Remove lines 2151-2154 and insert:

52 ~~(3) The department may adopt rules to administer the~~
53 ~~public employee performance evaluation system which establish~~
54 ~~procedures for performance evaluation, review periods, and~~
55 ~~forms.~~

56
57 Remove lines 2345-2349 and insert:

58 Section 36. Part V of chapter 110, Florida Statutes, is
59 renumbered as part III of that chapter, consisting of ss.
60 110.302-110.3023, Florida Statutes, and is renamed "Selected
61 Exempt Service."

62
63 Remove lines 2498-2502 and insert:

64 Section 41. Part III of chapter 110, Florida Statutes, is
65 renumbered as part IV of that chapter, consisting of ss.
66 110.401-110.4035, Florida Statutes, and is renamed "Senior
67 Management Service."

68
69 Remove lines 2701-2704 and insert:

70 Section 46. Part IX of chapter 112, Florida Statutes,
71 consisting of ss. 112.906-112.934, Florida Statutes, is created
72 and entitled "State Employment."

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Remove lines 2915-2917 and insert:

harassment is a form of discrimination. Each state agency with authority to govern the terms and conditions of employment for its employees ~~The department~~ shall adopt uniform sexual harassment

Remove lines 2937-2938 and insert:

(2) Each state agency with authority to govern the terms and conditions of employment for its employees ~~The employing~~

Remove lines 3653-3656 and insert:

Section __. Section 112.934, Florida Statutes, is created to read:

Section 112.934 Rulemaking authority. -

(1) Except as provided in subsections (2) and (3), each state agency with authority to govern the terms and conditions of employment for its employees is authorized to adopt rules as necessary to implement the provisions of this part.

(2) The department is authorized to adopt rules as necessary to implement ss. 112.915, 112.916, 112.919, 112.922, 112.926, 112.927, 112.929, F.S.

(3) Except as may be specifically provided therein, no rulemaking is authorized for ss. 112.908, 112.917, 112.920, 112.921, and 112.925.

(4) On the effective date of this act, any rule adopted by the department that implements a statute incorporated into this part shall remain in force, and may be followed by any agency

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102 authorized to adopt rules under this section, until that agency
103 adopts a replacement rule.

104 Section 75. Part X of chapter 112, Florida Statutes,
105 consisting of ss. 112.940-112.953, Florida Statutes, is created
106 and entitled "State Administered Benefits."

107
108 Remove lines 3988-3992 and insert:

109 Section __. Section 112.953, Florida Statutes, is created
110 to read:

111 112.953 Definition; rulemaking authority.-

112 (1) For purposes of this part, "department" means the
113 Department of Management Services.

114 (2) The department is authorized to adopt rules as
115 necessary to implement the provisions of this part.

116 Section 89. Part IV of chapter 110, Florida Statutes, is
117 renumbered as part XI of chapter 112, Florida Statutes,
118 consisting of ss. 112.961-112.966, Florida Statutes, and is
119 renamed "State Volunteer Services."

120
121 Between lines 4147 and 4148, insert:

122 Section __. Section 112.966, Florida Statutes, is created
123 to read:

124 112.966 Rulemaking authority.-

125 Each state agency with authority to govern the terms and
126 conditions of employment for its employees is authorized to
127 adopt rules as necessary to implement the provisions of this
128 part. On the effective date of this act, any rule adopted by the
129 department that implements a statute incorporated into this part

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130 shall remain in force, and may be followed by any agency
131 authorized to adopt rules under this section, until that agency
132 adopts a replacement rule.
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137 **T I T L E A M E N D M E N T**

138 Remove lines 2-3 and insert:

139 renaming ch. 110, F.S.; renaming part I of ch. 110, F.S.;

141 Remove lines 20-110 and insert:

142 act; amending s. 110.1099, F.S.; revising provisions relating to
143 educational opportunities for employees; transferring,
144 renumbering, and amending s. 110.235, F.S.; revising provisions
145 relating to training employees; amending s. 110.112, F.S.;

146 revising provisions relating to equal employment opportunities;
147 creating s. 110.1135, F.S.; requiring state agencies to keep
148 accurate records of work performed and leave; amending s.
149 110.116, F.S.; revising provisions relating to maintaining human
150 resource information; amending s. 110.1245, F.S.; revising
151 provisions relating to bonuses and other awards; amending s.
152 110.125, F.S.; revising provisions relating to payment for the
153 administrative costs of operating the personnel program;
154 amending s. 110.126, F.S.; revising provisions relating to the
155 department's authority to administer oaths; amending s. 110.127,
156 F.S.; revising provisions relating to penalties; transferring,
157 renumbering, and amending s. 110.2037, F.S.; revising provisions

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158 relating to tax-sheltered and special compensation benefits;
159 transferring, renumbering, and amending s. 110.201, F.S.,
160 relating to personnel rules, records, and reports; deleting
161 provisions requiring the department, in consultation with
162 affected agencies, to develop certain personnel rules,
163 guidelines, records, and reports relating to employees and
164 positions in the career service; creating s. 110.184, F.S.;
165 revising provisions relating to the department's annual
166 workforce report; renaming part II of ch. 110, F.S.; creating s.
167 110.202, F.S.; providing a declaration of policy with respect to
168 the establishment of the Civil Service; amending s. 110.205,
169 F.S.; revising provisions relating to the list of positions that
170 are exempted from the Civil Service; creating s. 110.208, F.S.;
171 providing for a uniform classification system for civil service
172 positions; creating s. 110.2085, F.S.; providing a pay plan for
173 civil service positions; directing the department to adopt
174 rules; amending s. 110.211, F.S.; revising provisions relating
175 to recruitment; amending s. 110.213, F.S.; revising provisions
176 relating to selecting a candidate for employment; amending s.
177 110.2135, F.S.; revising provisions relating to veterans'
178 preference; amending s. 110.215, F.S.; revising provisions
179 relating to employing persons with disabilities; amending s.
180 110.217, F.S.; revising provisions relating to a change in an
181 employee's position status; amending s. 110.219, F.S.; revising
182 provisions relating to attendance and leave policies; amending
183 s. 110.221, F.S.; conforming provisions to changes made by the
184 act; amending s. 110.224, F.S.; revising provisions relating to
185 employee evaluation; amending s. 110.227, F.S.; revising

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186 provisions relating to employee grievances; renumbering and
187 renaming part V of ch. 110, F.S.; transferring, renumbering, and
188 amending s. 110.601, F.S.; revising provisions relating to
189 selected exempt service policy; transferring, renumbering, and
190 amending s. 110.602, F.S.; revising provisions relating to the
191 creation of the Selected Exempt Service; transferring,
192 renumbering, and amending s. 110.605, F.S.; revising provisions
193 relating to the powers and duties of the department; creating s.
194 110.3023, F.S.; providing for the recruitment of selected exempt
195 service staff; renumbering and renaming part III of ch. 110,
196 F.S.; amending s. 110.401, F.S.; revising provisions relating to
197 policies for senior management employees; amending s. 110.402,
198 F.S.; revising provisions relating to the establishment of the
199 Senior Management Service; amending s. 110.403, F.S.; revising
200 provisions relating to the duties of the department with respect
201 to the Senior Management Service; creating s. 110.4035, F.S.;
202 providing recruitment requirements for senior management service
203 employees; creating part IX of ch. 112, F.S.; creating s.
204 112.906, F.S.;

205

206 Remove lines 180-181 and insert:
207 relating to state employment; creating s. 112.934, F.S.;
208 providing a definition; authorizing rulemaking; creating part X,
209 ch. 112, F.S.; transferring,

210

211 Remove lines 206-207 and insert:

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212 penalties; creating s. 112.953, F.S.; authorizing the department
213 to adopt rules; transferring and renumbering part IV, ch. 112,
214 F.S.; transferring, renumbering,

215

216 Remove line 217 and insert:

217 F.S.; providing for penalties; creating s. 112.966, F.S.;
218 authorizing rulemaking; repealing s. 110.115,

219