

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 4029 Governor's Private Secretary

SPONSOR(S): Fitzenhagen

TIED BILLS: **IDEN./SIM. BILLS:** SB 1100

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Government Operations Subcommittee	11 Y, 0 N	Stramski	Williamson
2) State Affairs Committee			

SUMMARY ANALYSIS

Current law allows the Governor to appoint and commission a person to hold the office of private secretary for the Governor; however, the staff of the Executive Office of the Governor is under the state personnel system with state-approved titles. It is unclear when this provision might have been used.

The bill repeals this provision.

The bill has no fiscal impact.

The bill takes effect July 1, 2013.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Enacted in 1845, s. 14.03, F.S., allows the Governor to appoint and commission a person to hold the office of private secretary for the Governor. This person is to serve at the pleasure of the Governor in that capacity and as "clerk for the executive department." The person is to work daily at the capitol during office hours and is to perform other duties as directed by the Governor. In order to qualify for the position, the person "must be fit and proper to hold office."

The staff of the Executive Office of the Governor are under the state personnel system with state approved titles. The Executive Office of the Governor is under what is known as Pay Plans 07, 08, 09, and 15. Employees of the Executive Office of the Governor are exempt from the career service system and serve at the pleasure of the Governor.¹

Administrative services, personnel staff of the Executive Office of the Governor, and state personnel system staff of the Department of Management Services were not aware of when the provisions of s. 14.03, F.S., relating to the private secretary of the Governor, might have been used last.²

Effect of the Bill

The bill repeals s. 14.03, F.S., relating to the private secretary of the Governor, as it is not used in the state personnel system governing the Executive Office of the Governor.

B. SECTION DIRECTORY:

Section 1 repeals s. 14.03, F.S., relating to the Governor's appointment and commission of a person to be his or her private secretary and to serve as clerk for the executive department.

Section 2 provides an effective date of July 1, 2013.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

¹ Section 110.205(2)(1), F.S.

² The statute refers to the private secretary serving as "clerk for the executive department." In 2012, when identical HB 4091 was under consideration, the Workforce Design and Compensation Manager of the Department of Management Services, Division of Human Resource Management, informed staff that in the 31 years that the manager had been involved with the state personnel system, he was not aware of it having ever been used. House of Representatives Staff Analysis for HB 4091, fn. 4 (January 12, 2012).

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.