

1989

Session Law 89-013

Florida Senate & House of Representatives

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H 1078 GENERAL BILL by Kelly (Identical S 244)

~~Sr. Mgmt. & Select Exempt Service~~; repeals provision which provides for expiration of provisions re Senior Management Service System & Selected Exempt Service System, effective 10/01/90; repeals said sections 10/01/95 & provides for legislative review of said sections prior to that date. Readopts 110.401-.407,.601-.607. Effective Date: 05/22/89.

03/20/89 HOUSE Prefiled
03/24/89 HOUSE Referred to Employee & Management Relations
03/27/89 HOUSE Subreferred to Subcommittee on Employer/Employee Relations
04/04/89 HOUSE Introduced, referred to Employee & Management Relations -HJ 102; Subreferred to Subcommittee on Employer/Employee Relations; On subcommittee agenda—Employee & Management Relations, 04/05/89, 10:15 am, 314-HOB
04/05/89 HOUSE Subcommittee Recommendation: Favorable; On Committee agenda, pending subcommittee action—Employee & Management Relations, 04/06/89, 1:15 pm, 314-HOB
04/06/89 HOUSE Preliminary Committee Action by Employee & Management Relations: Favorable
04/07/89 HOUSE Comm. Report: Favorable by Employee & Management Relations, placed on Calendar -HJ 204
04/19/89 HOUSE Placed on Special Order Calendar; Read second time -HJ 242
04/25/89 HOUSE Read third time -HJ 263; Passed; YEAS 116 NAYS 0 -HJ 264
04/27/89 SENATE In Messages
05/02/89 SENATE Received, referred to Personnel, Retirement and Collective Bargaining -SJ 247; Immediately withdrawn from Personnel, Retirement and Collective Bargaining; Substituted for SB 244; Passed; YEAS 37 NAYS 0 -SJ 251
05/09/89 Ordered enrolled
05/15/89 Signed by Officers and presented to Governor -HJ 504
05/22/89 Approved by Governor; Chapter No. 89-13 -HJ 569

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NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

STORAGE NAME: H1078-f.emr
DATE: June 9, 1989

HOUSE OF REPRESENTATIVES
COMMITTEE ON EMPLOYEE & MANAGEMENT RELATIONS
FINAL STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: HB 1078
RELATING TO: State Employment
SPONSOR(S): Representative Kelly
EFFECTIVE DATE: Upon becoming law
DATE BECAME LAW: May 22, 1989
CHAPTER #: 89-13, Laws of Florida
COMPANION BILL(S): SB 244
OTHER COMMITTEES OF REFERENCE: (1) None
(2)

I. SUMMARY:
Provides for legislative review of the Senior Management Service and Selected Exempt Service prior to their repeal on October 1, 1990.

A. PRESENT SITUATION:

Pursuant to current law, the Senior Management Service (SMS) and Selected Exempt Service (SES) are scheduled for repeal on October 1, 1990, subject to Legislative review prior to that date.

The October 1, 1990 repeal date was a provision in the 1985 legislation (Ch. 85-318, LOF) which reorganized the Senior Management Service and created the Selected Exempt Service. The five year repeal provision, in lieu of the traditional ten year repeal provision, was to serve as an "inducement" for the executive branch to implement and administer the new law promptly and efficiently.

Chapter 85-318 was a much stronger law than the previous Senior Management Service law, especially in the area of reporting requirements. For example, both the SMS and SES laws require the Department of Administration to furnish an annual report regarding the administration of these personnel systems to the Legislature by March 1 of each year. Additionally, these laws require the Auditor General to conduct a performance audit of the SMS and SES every two years. Also, the Appropriations Act from time to time mandates that certain aspects of the SMS and SES be studied. Most recently, Section 9.5.B. of the 1988/89 Appropriations Act required that DOA make a study with respect to the internal equity of SMS and SES Salaries.

B. EFFECT OF PROPOSED CHANGES:

This bill would move the current repeal date of October 1, 1990 for the Senior Management Service and the Selected Exempt Service ahead to October 1, 1995. Thus the Senior Management Service and the Selected Exempt Service would be subject to review and repeal on the traditional 10-year cycle as opposed to a 5-year cycle.

C. SECTION-BY-SECTION ANALYSIS:

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Appropriations Consequences:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None.

2. Recurring or Annualized Continuation Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise, and Employment Markets:

None.

D. FISCAL COMMENTS:

III. LONG RANGE CONSEQUENCES:

None.

IV. COMMENTS:


The Legislature may wish to consider eliminating the repeal of the Senior Management Service and Selected Exempt Service altogether. Most other personnel systems, the Career Service System, for example, are not subject to repeal. As a practical matter, the state's personnel systems and benefit programs are under continual review by the Legislature.

This bill passed out of full committee on April 6, 1989.

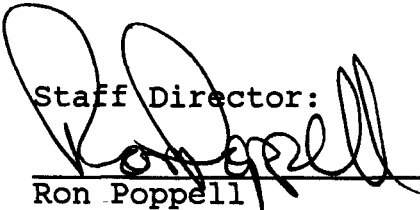
V. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:



Randy Touchton

Staff Director:


Ron Poppell

SECOND COMMITTEE OF REFERENCE:

Prepared by:


Staff Director:

APPROPRIATIONS:

Prepared by:

Staff Director:

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

| <u>ANALYST</u> | <u>STAFF DIRECTOR</u> | <u>REFERENCE</u> | <u>ACTION</u> |
|----------------|---|------------------|-----------------|
| 1. Jones _____ | Jones  _____ | 1. PRCB _____ | Favorable _____ |
| 2. _____ | _____ | 2. AP _____ | _____ |
| 3. _____ | _____ | 3. _____ | _____ |
| 4. _____ | _____ | 4. _____ | _____ |

SUBJECT:

State Employment

BILL NO. AND SPONSOR:

SB 244 by
Senator Ros-Lehtinen

I. SUMMARY:

A. Present Situation:

Pursuant to current law, the Senior Management Service (SMS) and Selected Exempt Service (SES) are scheduled for repeal on October 1, 1990, subject to Legislative review prior to that date.

The October 1, 1990 repeal date was a provision in the 1985 bill (Ch. 85-318, LOF) that reorganized the Senior Management Service and created the Selected Exempt Service. The five year repeal provision, in lieu of the traditional ten year repeal provision, was to serve as an "inducement" for the executive branch to implement and administer the new law promptly and efficiently.

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B. Effect of Proposed Changes:

This bill would move the current repeal date of October 1, 1990 for the Senior Management Service and Selected Exempt Service ahead to October 1, 1995. Thus the Senior Management Service and the Selected Exempt Service would be subject to review and repeal on the traditional 10-year cycle as opposed to a 5-year cycle.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None

B. Government:

None

III. COMMENTS:

The Legislature might want to consider eliminating the repeal of the Senior Management Service and Selected Exempt Service altogether. Most other personnel systems, the Career Service

System, for example, are not subject to repeal. As a practical matter, the state's personnel systems and benefits program are under continual review by the Legislature by virtue of the large number of bills which address these subjects each Session as well as the large number of mandated studies.

IV. AMENDMENTS:

None