

Regular Session, 2012

HOUSE BILL NO. 106

BY REPRESENTATIVE DOVE

POLICE/MUNICIPAL: Provides relative to the position of police chief in the city of Houma

1 AN ACT

2 To repeal R.S. 33:2481.3(C), relative to the city of Houma; to provide relative to the
3 position of police chief in the city; to provide relative to provisions that place the
4 position in the unclassified service; to provide relative to the date on which such
5 provisions shall terminate; to repeal the termination date; and to provide for related
6 matters.

7 Notice of intention to introduce this Act has been published
8 as provided by Article III, Section 13 of the Constitution of
9 Louisiana.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:2481.3(C) is hereby repealed in its entirety.

12 Section 2. This Act shall become effective on June 30, 2012; if vetoed by the
13 governor and subsequently approved by the legislature, this Act shall become effective on
14 June 30, 2012, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Dove

HB No. 106

Abstract: Relative to the position of police chief in the city of Houma, repeals date set to terminate provisions that place the position in the unclassified service.

Present constitution creates a fire and police civil service system applicable to municipalities of over 13,000 in population and parishes and fire protection districts. Provides that the system is subject to Art. XIV, §15.1 of the 1921 constitution made statutory by the 1974 constitution. Present law creates and provides for two fire and police civil service systems: (1) one applicable to any municipality which operates paid police and fire departments and which has a population of not fewer than 13,000 persons; and (2) one applicable to any parish, fire protection district, or municipality with a population of fewer than 13,000, but not fewer than 7,000 persons. Present constitution authorizes modifications to such systems (by law adopted by 2/3 of each house of the legislature in the case of provisions of Art. XIV, §15.1 of the 1921 constitution made statutory by the constitution of 1974) but prohibits the legislature from abolishing the system or making it inapplicable to covered jurisdictions.

Proposed law retains present constitution and present law.

Present law relative to both systems, provides that the classified service shall comprise every position, except those in the unclassified service to which the right of employee selection, appointment, supervision, and discharge is vested in the municipal government. Provides that the positions of fire chief and police chief shall be in the classified service. Provides further with respect to which positions are in the classified and unclassified service.

Present law provides an exception for the position of police chief in the city of Houma. Provides that such position is in the unclassified service and provides that the right of selection, appointment, supervision, and discharge for such position is vested in the president of Terrebonne Parish. Further provides that the appointment of the police chief is subject to the approval of the parish governing authority. Provides that any person appointed to the position of police chief shall meet all qualifications and requirements as provided in the parish compensation plan in effect at the time of his appointment.

Present law provides that any person who resigns from a position in the classified service to be appointed police chief shall not forfeit his seniority accumulated to the date of his resignation. Provides that no such person shall accumulate seniority during the time he is not in the classified service. Further provides that if any such person resigns from such position or is terminated for any reason other than malfeasance in office, he shall be eligible to be reemployed to the same position in the classified service in which he was employed immediately preceding his resignation from the classified service. Provides that if the position has been filled or no longer exists, then his former employer shall employ him in a comparable position.

Proposed law retains present law.

Present law provides that the provisions of present law will be null and void on July 1, 2012. Proposed law repeals termination date.

Effective June 30, 2012.

(Repeals R.S. 33:2481.3(C))