

2016 Regular Session

HOUSE BILL NO. 740

BY REPRESENTATIVE DANAHAAY

CIVIL SERVICE/FIRE & POL: Provides relative to the offices of state examiner and deputy state examiner of municipal fire and police civil service

1 AN ACT

2 To amend and reenact Subparagraph (d) of Paragraph 9 of Article XIV, Section 15.1 of the
3 Louisiana Constitution of 1921, made statutory by Article X, Section 18 of the
4 Louisiana Constitution of 1974, and to enact R.S. 33:2479(I), relative to the
5 municipal fire and police civil service; to provide relative to the offices of state
6 examiner and deputy state examiner; to provide relative to the powers and functions
7 of the State Civil Service Commission with respect to such offices; and to provide
8 for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Subparagraph (d) of Paragraph 9 of Article XIV, Section 15.1 of the
11 Louisiana Constitution of 1921, made statutory by Article X, Section 18 of the Louisiana
12 Constitution of 1974, is hereby amended and reenacted to read as follows:

13 §15.1. Fire and police civil service; municipalities of 13,000 to 250,000

14 * * *

15 9. State Examiner and Deputy State Examiner of Municipal Fire and Police
16 Civil Service.

17 * * *

18 d.(f) The State Civil Service Commission shall exercise no all administrative
19 control over the offices of the state examiner ~~or~~ and deputy state examiner. ~~Its~~
20 ~~functions and powers relating to these offices shall consist solely of the right of~~

1 ~~appointment, hearing of charges for removal or other disciplinary action legally~~
2 ~~brought against the incumbents of these offices, and the ordering of their removal or~~
3 ~~the rendering of such other judgment of a disciplinary nature as it may deem proper~~
4 ~~after a hearing.~~

5 (ii) ~~Notwithstanding the provisions of Item (i) of this Subparagraph the State~~
6 ~~Civil Service Commission's functions and powers shall also include approval of pay~~
7 ~~actions for the state examiner.~~

8 * * *

9 Section 2. R.S. 33:2479(I) is hereby enacted to read as follows:

10 * * *

11 I. The State Civil Service Commission shall exercise all administrative
12 control over the offices of the state examiner and deputy state examiner.

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)]

HB 740 Original

2016 Regular Session

Danahay

Abstract: Relative to the offices of state examiner and deputy state examiner of the municipal fire and police civil service, grants the State Civil Service Commission all administrative control over the offices.

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.

Proposed law retains present law.

Present law creates the office of state examiner of municipal fire and police civil service and additionally creates the office of deputy state examiner, subject to the supervision and orders of the state examiner.

Proposed law retains present law.

Present law provides that the State Civil Service Commission shall exercise no administrative control over the state examiner or deputy state examiner. Provides that the

commission's functions and powers relating to these offices consists solely of the right of appointment, hearing of charges for removal or other disciplinary action legally brought against the incumbents of these offices, and the ordering of their removal or the rendering of such other judgment of a disciplinary nature as it may deem proper after a hearing. Additionally provides that the commission's powers include approval of pay actions for the state examiner. Proposed law removes present law and provides instead that the commission shall exercise all administrative control over the state examiner and deputy state examiner.

(Amends Art. XIV, §15.1(9)(d) of 1921 Const. of La.; Adds R.S. 33:2479(I))