

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1203 w/CS Department of Corrections/Career Service
SPONSOR(S): Zapata
TIED BILLS: None **IDEN./SIM. BILLS:** SB 2228

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>State Administration</u>	<u>4 Y, 0 N w/CS</u>	<u>Williamson</u>	<u>Everhart</u>
2) <u>Public Safety Appropriations (Sub)</u>	<u></u>	<u>DeBeaugrine</u>	<u>DeBeaugrine</u>
3) <u>Appropriations</u>	<u></u>	<u></u>	<u></u>
4) <u></u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

Current law requires the Department of Management Services (DMS) to establish and maintain a classification and compensation program addressing Career Service, Selected Exempt Service (SES), and Senior Management Service positions. Certain managerial, confidential, and supervisory employees make up the SES. Those employees receive health benefits and insurance, but do not receive compensation for overtime worked.

This bill adds to SES the positions of colonel and major of an institution within the Department of Corrections (DOC). It also removes from SES the positions of superintendent and assistant superintendent within DOC. Finally, this bill removes obsolete language regarding the Correctional Education Program within DOC and makes editorial changes.

This bill appears to result in an additional recurring cost of \$84,349 in the general revenue salaries and benefits category. See "FISCAL IMPACT ON STATE GOVERNMENT" and "FISCAL COMMENTS" for further details. It does not appear to have a fiscal impact on local governments.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h1203b.ap.doc
DATE: April 9, 2003

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

Background

Current law requires the Department of Management Services (DMS) to establish and maintain a classification and compensation program addressing Career Service, Selected Exempt Service (SES), and Senior Management Service positions.¹

SES is created as a separate system of personnel administration that generally pays for an employee's health benefits and insurance, but does not compensate for over-time worked. Such positions are exempt from Career Service and the salaries and benefits are set by DMS in accordance with SES rules.² Certain managerial, confidential, and supervisory employees make up the SES.

Effect of Bill

This bill adds to SES the positions of colonel and major of a correctional institution within DOC. It also removes from SES the positions of superintendent and assistant superintendent within DOC because such positions no longer exist. Finally, this bill removes obsolete language regarding the Correctional Education Program within DOC and makes editorial changes.

C. SECTION DIRECTORY:

Section 1. Amends s. 110.205(2)(d), F.S., removing obsolete language.

Section 2. Amends s. 110.205(2)(m), F.S., adding to SES the positions of colonel and major within DOC. Removing from SES the positions of superintendent and assistant superintendent within DOC.

Section 3. Provides an effective date of July 1, 2003.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: None.
2. Expenditures: This bill will result in an additional recurring cost of \$84,349. This is net of an increase due to state assumption of health and insurance benefits of \$271,549 minus savings of

¹ Section 110.2035(1), F.S.

² Section 110.602, F.S.

\$187,200 from on-call and overtime pay that colonels and majors will no longer be eligible to receive.³ DOC projections are based on the current benefit structure. Changes could be made that would impact that number either positively or negatively.

Amount and description	FY 03-04	FY 04-05	FY 05-06
General Revenue			
Recurring			
Salaries and Benefits	\$84,349	\$84,349	\$84,349

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None.
2. Expenditures: None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR: None.

D. FISCAL COMMENTS:

The department suggests that there are sufficient salary appropriations within its existing budget to cover the increased cost of benefits that may result from passage of this bill. Therefore, an additional appropriation would not be required if the bill passes.⁴

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: Not applicable. This bill does not affect municipal or county government.
2. Other: None.

B. RULE-MAKING AUTHORITY: None.

C. DRAFTING ISSUES OR OTHER COMMENTS: None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On March 31, 2003, the Committee on State Administration adopted an amendment to Representative Zapata's HB 1203. As such, the bill was reported favorably with CS.

As filed, the bill removed from SES superintendents and assistant superintendents within DOH and DCFS. DOH and DCFS raised concerns because both have superintendents and assistant superintendents of institutions within their departments. The bill with CS addresses this concern and reinserts into SES such superintendents and assistant superintendents. The bill with CS also makes editorial changes.

³ Department of Corrections Bill Analysis at 2.

⁴ *Id.*