

Present constitution creates a fire and police civil service system applicable to municipalities of over 13,000 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. Existing 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.

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

Prior law required that the state examiner be a resident and qualified voter of the state. Required the state examiner to have experience in personnel administration. Required that he be paid a salary of not less than \$4,200 per year and that the deputy state examiner be paid a salary in an amount fixed by the governor. Further required that the state examiner be paid for his traveling and living expenses while away from the city of Baton Rouge and that the deputy state examiner be paid for his traveling and living expenses while away from his place of residence. Prior law provided that no state civil service pay plan was applicable to the state examiner or deputy state examiner.

New law instead requires that the state examiner be paid a salary set by the State Civil Service Commission (commission) and the deputy state examiner be paid a salary set by the state examiner. Requires that salaries be set in accordance with the commission's uniform pay plan. Requires that the position of state examiner be assigned to the same pay range to which the deputy director of state civil service is assigned and the position of deputy state examiner be assigned to the pay range which is two levels below the pay range to which the deputy director of state civil service is assigned. Requires that both the state examiner and deputy state examiner have experience in personnel administration, classification, or employment testing in a classified civil service system; provides that selection preference may be given to persons with such experience in the municipal fire and police civil service system. Requires that both the state examiner and deputy state examiner be residents and qualified voters of the state and that each be paid for his traveling and living expenses while away from his place of residence.

Existing law provides that the state examiner and deputy state examiner are within and bound under and amenable to the classified service of the state but provides that the commission exercises no administrative control over either. Provides that its functions and powers relating to those offices consists solely of the right of appointment, hearing of charges for removal or other disciplinary action legally brought against the incumbents of those offices, and the ordering of their removal or the rendering of such other judgment of a disciplinary nature as it deems proper after a hearing.

New law additionally provides that the state examiner and the deputy state examiner are subject to rules adopted and promulgated by the commission. Provides that the commission's functions and powers shall also include pay actions for the state examiner.

Existing law requires the commission, when a vacancy occurs in the office of state examiner or deputy state examiner, to make a provisional appointment of any person it deems qualified to fill the vacancy. New law requires that the provisional appointment be made within 30 days.

Existing law requires the commission to give a competitive examination to identify persons qualified for permanent appointment to the office. New law requires that the competitive examination be prepared, administered, and scored under the direction of the commission.

Prior law required the commission to appoint one of the three persons ranking highest upon the eligible list to fill the office. New law requires the commission to appoint any person upon the eligibility list who has experience in a classified civil service system as provided by new law.

Existing law requires that the person appointed serve a working test period of six months, which is considered to be a portion of the examination. Provides that the appointee becomes a regular employee as defined by state civil service law upon successful completion of the working test period.

Existing law provides that the state examiner and deputy state examiner are subject to removal or other disciplinary action by the commission only for a good and sufficient cause set forth in written charges filed with the commission by any one of the municipal fire and police civil service boards or by any qualified elector of the state. Provides that removal can take place only after a public hearing held by the commission in accordance with rules to be adopted by the commission.

Effective August 1, 2013.

(Amends Art. XIV, §15.1(9)(a), (b), (c), (d), and (e) of 1921 Const. of La. and R.S. 33:2479(B), (D), and (H); Repeals Art. XIV, §15.1(9)(g) of 1921 Const. of La.)