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## DIGEST

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Danahay

HB No. 399

**Abstract:** Relative to the offices of state examiner and deputy state examiner of the municipal fire and police civil service, provides relative to the functions and powers of the State Civil Service Commission with respect to these offices and provides relative to the salaries paid to persons appointed to these offices.

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. 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.

Present law retains present constitution and 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 requires the state examiner to serve on a full-time basis. Requires 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 requires 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. Present law provides that no state civil service pay plan shall be applicable to the state examiner or deputy state examiner.

Proposed law instead requires that the state examiner and the deputy state examiner be paid a salary set by the State Civil Service Commission and in accordance with the commission's uniform pay plan to which the position of state examiner and deputy state examiner are assigned.

Otherwise 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 its functions and powers relating to these offices shall consist 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.

Proposed law retains present law and adds the evaluation of job performance and the approval of pay actions to the list of functions and powers granted to the commission with respect to the offices.

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