

**ACT No. 398**

2022 Regular Session

HOUSE BILL NO. 874

BY REPRESENTATIVE STAGNI

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

AN ACT

To amend and reenact Subparagraphs(9)(b), (c), and (e) and Subsubparagraph(9)(d)(i) of Article XIV, Section 15.1 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article X, Section 18 of the 1974 Constitution of Louisiana, and R.S. 33:2479(H), relative to the municipal fire and police civil service; to provide relative to the appointment, supervision, and discharge of the deputy state examiner; to remove certain powers granted to the State Civil Service Commission with respect to the deputy state examiner; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subparagraphs(9)(b), (c), and (e) and Subsubparagraph(9)(d)(i) of Article XIV, Section 15.1 of the 1921 Constitution of Louisiana, as amended, continued as a statute pursuant to Article X, Section 18 of the 1974 Constitution of Louisiana, are hereby amended and reenacted to read as follows:

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

\* \* \*

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

\* \* \*

b. The office of deputy state examiner of municipal fire and police civil service is created, ~~subject to the supervision and orders of the state examiner.~~ The

1 right of appointment, supervision, and discharge of the deputy state examiner is  
2 vested in the state examiner. The deputy state examiner is authorized and  
3 empowered to exercise the authority and perform the duties of the state examiner as  
4 provided in this Section. He shall be a resident and qualified voter of the state. He  
5 shall be a person who has had experience in personnel administration, classification,  
6 or employment testing in a classified civil service system and shall serve on a full-  
7 time basis. He shall receive and be paid a salary set by the state examiner in  
8 accordance with the State Civil Service Commission's uniform pay plan. The  
9 position of deputy state examiner shall be assigned to the pay range which is two  
10 levels below the pay range to which the deputy director of state civil service is  
11 assigned. The deputy state examiner shall be paid traveling and living expenses  
12 while away from the place of his residence.

13 c. The state examiner and the deputy state examiner of the municipal fire and  
14 police civil service shall come within and be bound under and amenable to the  
15 classified service of the state as established and existing. The state examiner and  
16 deputy state examiner shall be subject to the rules adopted and promulgated by the  
17 State Civil Service Commission. The state examiner ~~and deputy state examiner~~ shall  
18 be subject to removal and other disciplinary action by the State Civil Service  
19 Commission only for a good and sufficient cause set forth in written charges filed  
20 with the commission by any one of the municipal fire and police civil service boards  
21 created by this amendment or by any qualified elector of the state, and only after a  
22 public hearing by the State Civil Service Commission to be held in accordance with  
23 rules to be adopted by the commission.

24 d.(i) The State Civil Service Commission shall exercise no administrative  
25 control over the state examiner ~~or deputy state examiner~~. Its functions and powers  
26 relating to ~~these offices~~ this office shall consist solely of the right of appointment,  
27 hearing of charges for removal or other disciplinary action legally brought against  
28 the incumbents of ~~these offices~~ this office, and the ordering of ~~their~~ his removal or

1 the rendering of such other judgment of a disciplinary nature as it may deem proper  
2 after a hearing.

3 \* \* \*

4 e. When a vacancy occurs in the office of the state examiner ~~or deputy state~~  
5 ~~examiner~~, the State Civil Service Commission shall, within thirty days, make a  
6 provisional appointment of any person it deems qualified to fill the vacancy. A  
7 competitive examination shall be prepared, administered, and scored under the  
8 direction of the State Civil Service Commission in order to establish a list of persons  
9 eligible for appointment to the office. As soon as such list can be and is established,  
10 the State Civil Service Commission shall appoint any person upon the eligibility list  
11 who has the experience required in Subparagraphs (a) and (b) of this Paragraph to  
12 fill the office; however, selection preference may be given to any person having such  
13 experience in the municipal fire and police classified civil service system. The  
14 person appointed shall serve a working test period of six months which shall be  
15 considered a portion of the examination. At the termination of such working test  
16 period, if successfully completed, the appointee shall become a regular employee as  
17 defined in the State Civil Service Law.

18 \* \* \*

19 Section 2. R.S. 33:2479(H) is hereby amended and reenacted to read as follows:

20 §2479. State examiner of municipal fire and police civil service

21 \* \* \*

22 H. The office of deputy state examiner of municipal fire and police civil  
23 service is created, ~~subject to the supervision and orders of the state examiner.~~ The  
24 right of appointment, supervision, and discharge of the deputy state examiner shall  
25 be vested in the state examiner. He is authorized and empowered to exercise the  
26 authority and perform the duties of the state examiner as provided in this Part or Part  
27 III of this Chapter. He shall receive and be paid a salary set by the state examiner  
28 in accordance with the State Civil Service Commission's uniform pay plan. The  
29 position of deputy state examiner shall be assigned to the pay range which shall be

1           two levels below the pay range to which the deputy director of state civil service is  
2           assigned. He shall be paid traveling and living expenses while away from the place  
3           of his residence.

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES

---

PRESIDENT OF THE SENATE

---

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_