

SENATE COMMITTEE AMENDMENTS

2020 Regular Session

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 209 by Senator Morris

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "enact R.S. 42:1267" and insert "amend and reenact the introductory paragraph of R.S. 33:2491, (E), and (I), 2492(1), (2), and (11), 2494(A) and (D), the introductory paragraph of 2551, (5), and (9), 2552(1),(2), and (11), 2553(C), and 2554(A) and (D)

AMENDMENT NO. 2

On page 1, line 4, after "by the" delete "Department of Civil Service" and insert "Office of State Examiner"

AMENDMENT NO. 3

On page 1, line 7 after "Section 1." delete "R.S. 42:1267 is hereby enacted" and insert "The introductory paragraph of R.S. 33:2491,(E), and (I), 2492(1), (2), and (11), 2494(A) and (D), the introductory paragraph of 2551, (5), and (9), 2552(1),(2), and (11), 2553(C), and 2554(A) and (D) are hereby amended and reenacted"

AMENDMENT NO. 4

On page 1, delete lines 8-17 and insert the following:

"§2491. Establishment and maintenance of employment lists

Except for entrance level firefighter and entrance level police officer, ~~the~~ board shall establish and maintain employment lists containing names of persons eligible for appointment to the various classes of positions in the classified service, as follows:

* * *

E. Any person whose name is placed upon the competitive employment list for the entrance or lowest ranking class in the classified service who has served in the armed forces of the United States of America during the times of war, and has been honorably discharged or discharged under honorable conditions, shall have added to his final test score a total of five points at the time of placing his name upon the list. Proof of such service and discharge shall be required by the board **or the state examiner** in any manner it deems advisable.

* * *

I. (1) For purposes of entrance firefighter and entrance police officer, the state examiner shall establish and maintain a statewide eligibility list containing names of persons eligible for appointment to these classes by any municipality, parish, or fire protection district under the municipal fire and police civil service system.

(2)A person who has attained a passing score on an examination administered by the state examiner for ~~entrance police officer, entrance firefighter,~~entrance jailer, secretary to the chief, departmental records clerk, or for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police services is the primary duty may have his name placed on the employment list of any municipality, parish, or fire protection district under the Municipal Fire and Police Civil Service System, provided the person's application and score are accepted by the board of the municipality, parish, or fire protection district in which he seeks employment. In order that his name may be placed upon the employment eligibility list, a person shall be required to meet the minimum qualifications adopted as rules of the respective civil service board, as if making original application for admission to the test. The eligibility of such an applicant shall not continue past the date on which his original eligibility expired."

AMENDMENT NO. 5

On page 2, delete line 1 and insert the following:

"§2492. Tests

Tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists shall be provided, as follows:

(1)(a) The board shall provide through the state examiner for promotional or competitive tests. Official notice of examination shall be posted on the bulletin board in each station of the respective department. The notice shall state (i) class of positions for which tests will be given, (ii) whether the tests will be given on a promotional or competitive basis, and (iii) the final date on which applications for admission to the tests will be received. The notice shall be posted for a continuous period of ~~thirty~~ **ten** days preceding the date for administering the tests.

(b) In addition to the posted notice, public notice for all tests to be given on a competitive basis shall be published ~~at least four times during the thirty-day period in the official journal of the municipality~~ **on the state examiner's website and the municipality's website, if available, during the ten-day period** in which such tests are to be held. This notice of examination need not reveal the exact date on which tests shall be administered, but all applicants shall be advised of the date, place, and time to report for an announced test at least five days in advance thereof in any manner the board may prescribe.

(2)(a) For entrance firefighter and entrance police officer, the state examiner shall publish notice on his website for ten-day notice of the location for where such tests are to be held and the final date on which applications for admission to the test will be received. This notice of examination shall reveal the exact date on which the test shall be administered. However, all applicants shall be advised of the time and place to report for an announced test at least five days in advance in any manner the state examiner may prescribe. The state examiner shall provide for online entrance firefighter and entrance police testing as provided for in this Section by Fiscal Year 2022.

(b) As may be necessary from time to time, the state examiner may call for and administer examinations for the entrance classifications of firefighter, police officer **secretary to the chief, departmental records clerk**, jailer, and for the entrance classes for positions of which the operation and maintenance of a radio, alarm, or signal system for the fire or police service is the primary duty. Tests may be administered at the discretion of the state examiner in any municipality, parish, or fire protection district to which this Part applies. Official notification shall not be made to the extent required under Paragraph (1) of this Section; however, public notice shall be published at least four times during a thirty-day period in the official journal of the state of Louisiana and may be posted on the bulletin board in each station of the respective department. This notice of examination need not state the exact date on which tests shall be administered, but all applicants shall be advised of the date, place, and time to report for an announced test at least five days in advance thereof in any manner the state examiner may prescribe.

* * *

(11) Each applicant who makes a passing score on a test administered by the state examiner under the provisions of Paragraph (2) of this Section shall be advised, in any manner the state examiner prescribes, of his final score. **Except for entrance firefighter and entrance police officer,** ~~Such~~ such score may be reported and approved by the board under the provisions of R.S. 33:2491(I). The original eligibility of an applicant under the provisions of this Paragraph shall be the period of not more than eighteen months after the date on which the signature of the state examiner was affixed to his notification of score.

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§2494. Certification and appointment

A. **(1) Except for entrance firefighter and entrance police officer,** ~~W~~ whenever the appointing authority proposes to fill a vacancy in the classified service, except by demotion, transfer, emergency appointment, or by substitute employment not to exceed thirty days, he shall request the board to certify names of persons eligible for appointment to the vacant position. The board shall thereupon certify in writing the names of eligible persons from the appropriate employment list, and the appointing authority shall, if he fills the vacancy, make the appointment as provided by this Section.

(2) Whenever the appointing authority proposes to fill a vacancy in entrance level firefighter and entrance level police officer, he shall request the state examiner to

certify names of persons eligible for appointments to the vacant position. The state examiner shall certify in writing the names of eligible persons from the appropriate list, and the appointing authority shall, if he fills the vacancy, make the appointment as provided by this Section.

* * *

D. Certification and appointment from the competitive list shall be limited to those conditions and classifications for which the competitive test may be given as provided by R.S. 33:2492(E). Upon the appointing authority's request for the certification of eligible persons from which he may fill a vacancy, and if the competitive list is the appropriate list from which the names of eligible persons shall be certified, the board **or the state examiner** shall certify the names of the persons upon that list, in the order in which they appear thereon, for the class in which the vacancy is to be filled. The appointing authority shall select and appoint to the first vacancy to be filled, any one of the persons so certified to him for the vacancy. **In making appointments to entrance firefighter and entrance police officer, the appointing authority shall verify the applicant meets the minimum qualifications as established by the board. Additionally, in making such appointment to entry-level positions, the appointing authority shall give a preference to Louisiana residents. If any one or more persons so certified should refuse the appointment, the appointing authority shall then select and appoint any one of the remaining persons certified by the board or the state examiner.** This procedure shall be followed until the position has been filled by appointment of one of the persons certified from the list and willing to accept the appointment, or until each person whose name appears upon the list has in this manner been certified for the vacancy.

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§2551. Establishment and maintenance of employment lists

Except for entrance firefighter and entrance police officer, ~~the~~ board shall establish and maintain lists containing names of persons eligible for appointment to the various classes of positions in the classified service as follows:

* * *

(5) Any person whose name is placed upon the competitive employment list for the entrance or lowest ranking class in the classified service who has served in the armed forces of the United States of America during time of war, and who has been honorably discharged or discharged under honorable conditions, shall have added to his final test score a total of five points at the time of placing his name upon the list. Proof of such service and discharge shall be required by the board **or state examiner** in any manner it deems advisable.

* * *

(9)(a) For purposes of entry level firefighter and entry level police officer, the state examiner shall establish and maintain a statewide eligibility list containing the names of persons eligible for appointment to these classes by any municipality, parish, or fire protection district under the municipal fire and police civil service system.

(b) A person who has attained a passing score on an examination administered by the state examiner for entrance police officer, entrance firefighter, entrance jailer, secretary to the chief, departmental records clerk, or for the entrance classes for which the operation and maintenance of radio, alarm, or signal systems for the respective fire or police services is the primary duty may have his name placed on the employment list of any municipality, parish, or fire protection district under the Municipal Fire and Police Civil Service System, provided the person's application and score are accepted by the board of the municipality, parish, or fire protection district in which he seeks employment. In order that his name may be placed upon the employment eligibility list, a person shall be required to meet the minimum qualifications adopted as rules of the respective civil service board, as if making original application for admission to the test. The eligibility of such an applicant shall not continue past the date on which his original eligibility expired.

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§2552. Tests

Tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists shall be provided, as follows:

(1)(a) **Except for entrance firefighter and entrance policer officer,** ~~the~~ board shall provide through the state examiner for promotional or competitive tests. Official notice of examination shall be posted on the bulletin board in each station of the respective department. The notice shall state (i) class of positions for which tests will be given, (ii) whether the tests will be given on a promotional or competitive basis, and (iii) the final date

on which applications for admission to the tests will be received. The notice shall be posted for a continuous period of ~~thirty~~ **ten** days preceding the date for administering the tests.

(b) In addition to the posted notice, public notice for all tests to be given on a competitive basis shall be published ~~at least four times during the thirty-day period in the official journal of the municipality, parish, or fire protection district, as the case may be,~~ **during the ten-day period on the state examiner's website and the municipality, parish, or fire protection district's website, if available,** in which such tests are to be held. This notice of examination need not state the exact date on which tests shall be administered, but all applicants shall be advised of the date, place, and time to report for an announced test at least five days in advance thereof in any manner the board may prescribe.

(c) For entrance firefighter and entrance police officer, the state examiner shall publish notice on his website for ten-day notice of the location for where such tests are to be held and the final date on which applications for admission to the test will be received. This notice of examination shall reveal the exact date on which the test shall be administered. However, all applicants shall be advised of the place and time to report for an announced test at least five days in advance in any manner the state examiner may prescribe. The state examiner shall provide for online entrance firefighter and entrance police testing as provided for in this Section by Fiscal Year 2022.

(2) As may be necessary from time to time, the state examiner may call for and administer examinations for the entrance classifications of firefighter, police officer **secretary to the chief, departmental records clerk,** jailer, and for the entrance classes for positions of which the operation and maintenance of a radio, alarm, or signal system for the fire or police service is the primary duty. Tests may be administered at the discretion of the state examiner in any municipality, parish, or fire protection district to which this Part applies. Official notification shall not be made to the extent required under Paragraph (1) of this Section; however, public notice shall be published at least four times during a thirty-day period in the official journal of the state of Louisiana and may be posted on the bulletin board in each station of the respective department. This notice of examination need not state the exact date on which tests shall be administered, but all applicants shall be advised of the date, place, and time to report for an announced test at least five days in advance thereof in any manner the state examiner may prescribe.

* * *

(11) Each applicant who makes a passing score on a test administered by the state examiner pursuant to **Subparagraph (1)(c) or** Paragraph (2) of this Section shall be advised, in any manner the state examiner prescribes, of his final score. **Except for entrance firefighter and entrance police officer,** ~~S~~ such score may be reported and approved by the board under the provisions of R.S. 33:2551(9). The original eligibility of an applicant under the provisions of this Paragraph shall be the period of not more than eighteen months after the date on which the signature of the state examiner was affixed to his notification of score.

§2553. Admission to tests

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C. Any applicant admitted to the competitive examinations which may be called for by the state examiner pursuant to R.S. 33:2552**(1)(c) or** (2) shall be a citizen of the United States and of legal age.

§2554. Certification and appointment

A. **(1) Except for entrance firefighter and entrance police officer,** ~~W~~ whenever the appointing authority proposes to fill a vacancy in the classified service, except by demotion, transfer, emergency appointment, or by substitute employment not to exceed thirty days, he shall request the board to certify names of persons eligible for appointment to the vacant position. The board thereupon shall certify in writing the names of eligible persons from the appropriate employment list, and the appointing authority shall, if it fills the vacancy, make the appointment as provided by this Section.

(2) Whenever the appointing authority proposes to fill a vacancy in entrance level firefighter or entrance level police officer, he shall request the state examiner to certify names of persons eligible for appointments to the vacant position. The state examiner shall certify in writing the names of eligible persons from the appropriate list,

and the appointing authority shall, if he fills the vacancy, make the appointment as provided by this Section.

* * *

D. Certification and appointment from the competitive list shall be limited to those conditions and classifications for which the competitive test may be given as provided by R.S. 33:2552(5). Upon the appointing authority's request for the certification of eligible persons from which it may fill a vacancy, and if the competitive list is the appropriate list from which the names of eligible persons shall be certified, the board **or the state examiner** shall certify the names of the persons upon that list, in the order in which they appear thereon, for the class in which the vacancy is to be filled. The appointing authority shall select and appoint to the first vacancy to be filled any one of the persons so certified to it for the vacancy. **In making appointments to entrance firefighter and entrance police officer, the appointing authority shall verify the applicant meets the minimum qualifications as established by the board. Additionally,** in making such appointment to entry-level positions, the appointing authority shall give a preference to Louisiana residents. If any one or more persons so certified refuses the appointment, the appointing authority then shall select and appoint any one of the remaining persons certified by the board **or the state examiner**. This procedure shall be followed until the position has been filled by appointment of one of the persons certified from the list and willing to accept the appointment, or until each person whose name appears upon the list has in this manner been certified for the vacancy.

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