

2019 Regular Session

HOUSE BILL NO. 96

BY REPRESENTATIVE PYLANT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CIVIL SERVICE/STATE: (Constitutional Amendment) Provides relative to state civil service, including providing that employees hired on or after January 1, 2020, shall be in the unclassified service

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A JOINT RESOLUTION

Proposing to add Article X, Section 2(C) of the Constitution of Louisiana, to provide relative to state civil service; to provide that employees hired on or after a certain date shall be in the unclassified service; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to add Article X, Section 2(C) of the Constitution of Louisiana, to read as follows:

§2. Classified and Unclassified Service

Section 2.

* * *

(C) State Unclassified Service. The unclassified service shall include all employees in the state civil service hired into the employ of the state on or after January 1, 2020.

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on October 12, 2019.

1 Section 3. Be it further resolved that on the official ballot to be used at the election,
2 there shall be printed a proposition, upon which the electors of the state shall be permitted
3 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
4 follows:

5 Do you support an amendment to provide that any person hired by the state
6 on or after January 1, 2020, shall be in the unclassified service? (Adds
7 Article X, Section 2(C))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 96 Original

2019 Regular Session

Pylant

Abstract: Provides that any person hired into state civil service on or after January 1, 2020, shall be in the unclassified service.

Present constitution provides that state civil service is established and includes all persons holding offices and positions of trust or employment in the employ of the state, or an instrumentality thereof, and any joint state and federal agency, joint state and parochial agency, or joint state and municipal agency, but shall not include members of the state police service or persons holding offices and positions of any municipal board of health or any parish or municipality. Present constitution also provides that state civil service is divided into the unclassified and the classified service and provides that persons not included in the unclassified service are in the classified service. Present constitution specifies that the following officers and employees are in the unclassified service:

- (1) Elected officials and persons appointed to fill vacancies in elective offices.
- (2) Heads of each principal executive department appointed by the governor.
- (3) Registrars of voters.
- (4) Members of state boards, authorities, and commissions.
- (5) One private secretary to the president of each college or university.
- (6) One person holding a confidential position and one principal assistant or deputy to any officer, board, commission, or authority mentioned in (1), (2), (3), or (4) above, except civil service departments.
- (7) Members of the military or naval forces.
- (8) Teaching and professional staffs, and administrative officers of schools, colleges, and universities of the state, and bona fide students of those institutions employed by any state agency.

- (9) Employees, deputies, and officers of the legislature and of the offices of the governor, lieutenant governor, attorney general, assessors, and of all offices provided for in Article V of the present constitution.
- (10) Commissioners of elections, watchers, and custodians and deputy custodians of voting machines.
- (11) Railroad employees whose working conditions and retirement benefits are regulated by federal agencies in accordance with federal law.
- (12) The director, deputy director, and all employees of the Governor's Office of Homeland Security and Emergency Preparedness.

Present constitution further provides that additional positions may be added to the unclassified service and those positions may be revoked by rules adopted by the state civil service commission.

Present constitution provides that permanent appointments and promotions in the classified state service shall be made only after certification by the dept. of civil services under a general system based upon merit, efficiency, fitness, and length of service, as ascertained by examination, which so far as practical, shall be competitive. Further provides classified employees rights to appeal disciplinary actions and specified discrimination to the civil service commission. Present constitution provides prohibitions on political activity by classified employees and further prohibits persons from soliciting political contributions from classified employees and prohibits the use of a position in state service to punish or coerce the political action of a classified employee.

Proposed constitutional amendment provides that all employees hired into the employ of the state on or after Jan. 1, 2020, shall be in the unclassified service of state civil service.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 12, 2019.

(Adds Const. Art. X, Sec. 2 (C))