



Florida Police Benevolent Association, Inc.



# CAPITOL REPORT

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By Matt Puckett, Deputy Executive Director  
LEGISLATIVE ACTIVITY FOR THE WEEK ENDING DECEMBER 19, 2008

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## HOW BAD IS IT?

It is really bad. The recession is real and it's here to stay awhile (possibly another six months). Officially, the recession started in December 2007, it's already a full twelve months long, which is something we haven't seen in a quarter century. Florida's economic forecasters estimate that economic growth may not return until April 2010.

So what does it mean?

First and foremost, it means we focus on saving full-time employee positions, even the vacant positions. No more position cuts. Every agency is already operating at near critical levels; another round of cuts threatens public and officer safety. Call it rhetoric or spin, but filling these positions will save lives. The government's role is to protect its citizens from a catastrophe, not to set the stage for a disaster then pontificate how such a thing could have occurred. And yes, if our warnings are not heeded, we will make sure those responsible are held accountable.

Next, it means we fight to keep what you currently have in terms of pay, benefits and job protections. Amendment 1 and the recession have harmed every agency in Florida. We have seen hiring and promotion freezes, increasingly harsh disciplinary actions taken against officers, threatened layoffs and furloughs, and drastically diminished pay and benefit enhancements. What's the biggest threat? *The Defined Benefit Pension*. Your guaranteed pensions are regular targets for reduction or elimination with the media, elected officials and the public. Our biggest task will be to hold onto this benefit for those who currently have it and make sure it remains available for future generations.

Finally, it means we press forward with our agenda. Trust me... everyone else will press on with theirs. Yes, perhaps we should lower our expectations a bit, but we can get creative too. For instance, revenues are not flowing in for pay increases: let's seek some new sources of income to spur the economy, route the monies into a trust fund, and use it for salary supplements. Agencies are struggling to keep quality officers: let's extend the DROP. *Although, it is certainly not the time to assist some of the highly paid abusers of the DROP to further game the system*. Finally, it is important to strengthen your rights. Agencies are cracking down, maybe to thin the ranks because of finances or maybe because the law allows it. We have to protect every officer from undeserved disciplinary action by fixing ambiguous language in the Officer Bill of Rights.

This is our challenge for the foreseeable future. Let's embrace it and move along.

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# FURTHER REDUCTIONS TO THIS YEAR'S BUDGET

## With Bigger Reductions Set for the Next Fiscal Year

The normal two weeks of interim committee meetings have been precursors to looming budget reductions for the current budget year. The Governor and the Legislature have asked each state agency to look at reducing their operating budgets an additional 4%. Unfortunately, this will happen. A special session has been set for *January 5<sup>th</sup> through 16<sup>th</sup>* to reduce the 2008-2009 (current) operating budgets. Appropriations committees in the House and Senate listened to pleas from agencies to be spared from the budget knife. Many committee members were empathetic, but the prevailing belief is that cuts are unavoidable.

Many of you have heard or read that ideas such as furloughs, pay cuts, layoffs and agency consolidation are moving through the Legislature in an effort to solve the financial crisis. All of those options are on the table. Some of the more obvious choices frequently mentioned are extended furloughs followed by permanent layoffs. Pay cuts and consolidating agencies are also being seriously discussed. However, there is also debate about a per pack cigarette tax increase, ratifying the Seminole gaming compact, tapping the Lawton Chiles endowment, tapping excess monies in the prepaid college fund, and removing a number of non-necessity sales tax exemptions. And these are just some of the ideas from the few meetings held the past two weeks.

Clearly, plugging up the \$2.3 billion of additional red ink has to take priority over anything else the Legislature accomplishes in the next few months. How the Legislature goes about doing it will be dictated by the leadership's philosophy, financial necessity, and political courage.

**The Florida Police Benevolent Association** is firmly against any position cuts both vacant and filled to solve this budget crisis. The safety of the public and the officers performing the work should never be placed in jeopardy regardless of the financial circumstances. We all know that every agency is running at staffing levels close to critical. The Legislature must hold these essential positions harmless and search for ways to fill the vacancies.

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# State Employees Make Your Voice Heard!

## “Hold Us Harmless, No More Position Cuts”

The holiday season is here, but with the Florida Legislature proposing drastic position cuts in the New Year, we must make our voices heard now. Below is a list of Legislators who will have a major say as to whether you have a job in the New Year. Please take a moment to call each one of them, especially those in your local area.

Politely make your point that every position both *filled* and *vacant* is needed. Educate them on the staffing levels of your agency and suggest they find ways to fill the vacant positions. Remember the call is to educate and prevent the position cuts; nothing has happened yet.

### **Please call the following Legislators:**

**Senate President Jeff Atwater # (561) 625-5101 (BROWARD, PALM BEACH)**

**Senator JD Alexander # (863) 298-7677 (DESOTO, GLADES, HARDEE, HIGHLANDS, OKEECHOBEE, POLK, ST. LUCIE)**

**Senator Mike Fasano # (727) 848-5885 (CITRUS, HERNANDO, PASCO, PINELLAS)**

**Senator Alex Villalobos # (305) 222-4160 (DADE)**

**Senator Alex Diaz de la Portilla # (305) 643-7200 (DADE)**

**Senator Al Lawson # (850) 487-5004 (BAY, CALHOUN, FRANKLIN, GADSDEN, GULF, JACKSON, JEFFERSON, LEON, LIBERTY, MADISON, WAKULLA)**

**Senator Charlie Justice # (727) 217-7970 (HILLSBOROUGH, PINELLAS)**

**Senator Victor Crist # (813) 975-6658 (HILLSBOROUGH, PASCO)**

**Senator Frederica Wilson # (305) 654-7150 (DADE)**

**Senator Arthenia Joyner # (813) 233-4277 (HILLSBOROUGH, MANATEE, PINELLAS)**

**Senator Dennis Jones # (727) 549-6411 (PINELLAS)**

**Speaker of the House of Representative Ray Sansom # (850) 833-9328 (OKALOOSA, SANTA ROSA)**

**Representative Larry Cretul # (352) 873-6564 (ALACHUA, LEVY, MARION)**

**Representative Marcelo Llorente # (305)273-3200 (DADE)**

**Representative Adam Hasner # (561) 279-1616 (BROWARD, PALM BEACH)**

**Representative Anitere Flores # (305) 227-7626 (DADE)**

**Representative Ron Reagan # (941) 727-6447 (HILLSBOROUGH, MANATEE, SARASOTA)**

**Representative Franklin Sands # (954) 424-6800 (BROWARD)**

**Representative Geraldine Thompson # (407) 245-1511 (ORANGE)**

**Representative Sandy Adams # (407) 977-4020 (ORANGE, SEMINOLE, VOLUSIA)**

**Representative Nick Thompson # (239) 533-2411 (LEE)**

**Representative Darryl Rouson # (727) 552-1370 (HILLSBOROUGH, PINELLAS)**

**Representative Juan-Carlos Planas # (305) 442-6800 (DADE)**

**Representative William Snyder # (772) 221-4904 (MARTIN, PALM BEACH, ST. LUCIE)**

**Representative Darren Soto # (407) 249-4743 (ORANGE, OSCEOLA)**

**Representative Priscilla Taylor # (561) 840-4814 (PALM BEACH)**

## Three Interesting Questions from this Week:

- How to deal with an inmate population surpassing 100,000 and growing? 100,000 inmates was the milestone Florida reached on Thursday. Over the next five years, Florida will have to construct 19 new prisons projected to cost \$1.9 billion with an annual operating cost of \$26 million per facility. Can Florida keep building prisons at this rate?
- Should Florida consolidate its state law enforcement agencies? There are a number of influences at work on this idea. One is cost savings. Is Florida paying for overlapping, or duplicative law enforcement services? Another is command and control. Does Florida have too many agency chiefs? This issue may prove to be the most interesting one in the whole debate. Just how many agencies should perform law enforcement functions? Each agency has a specified mission that the state deems to be critical to public safety, so does it make sense to consolidate law enforcement under one roof? The last influence is the piecemeal approach versus total consolidation. Does the Legislature test the waters with a few agencies or just dive in with every state law enforcement function?
- Is the jig up for double dippers? A number of high profile elected constitutional officers, like **State Attorney Willie Meggs**, have recently come under public fire for utilizing the DROP and re-employment laws to what many view as an unfair financial advantage. Basically, Mr. Meggs and others, have entered the DROP, run for re-election, won re-election, retired for 30 days, collected their DROP monies and plan to come back to fulfill their new term. A chorus from the media and a growing number of Legislators think the law ought to be changed to prevent this practice from happening. The idea being if you decide to enter DROP then you should also retire and permanently leave your agency when your time in DROP expires. The general concern – Will DROP go away altogether because of this practice by high paid elected officials?

ST. PETE TIMES BLOG posted at 11:21pm  
December 19, 2008

### **Crist's gift: 2 days off for state workers**

Gov. Charlie Crist just announced state workers would get two new paid days off, Jan. 2 and Dec. 26, meaning state government will be closed then as well. "There is no higher call than service to our fellow man, and state employees each day selflessly serve the people of Florida. From Pensacola to Tallahassee to Key West and all places in between, I commend these public servants for striving to ensure the safety and security of Floridians and provide quality customer service," Crist said in a written statement. But with talk of possible furloughs and even layoffs as state lawmakers try to fill a \$2.3 billion budget hole, Crist couldn't make any promises that everyone could keep his/her job. -- Marc Caputo

## **PBA LEGISLATIVE AGENDA FOR 2009**

- Equitable pay increases for state correctional, correctional probation, and law enforcement officers represented by Florida PBA, including but not limited to, pay compression and retention issues
- Legislation extending the period of DROP participation for Law Enforcement, Correctional and Correctional Probation Officers an additional 36 months
- Legislation clarifying the types of evidence, such as video surveillance, an officer who is the subject of a complaint can view prior to an investigation
- Legislation clarifying the 180 days rule in the Law Enforcement Officers Bill of Rights
- Legislation changing the Special Risk upgraded credit from two percent to three percent
- Support for changes and clarifications to investment guidelines contained in Chapter 185

With reference to other legislation, the Board of Directors gives authorization to the Director of Legislative Services to support legislation favorable to the membership or oppose legislation harmful to the membership.

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