



CAPITOL REPORT

300 East Brevard Street, Tallahassee, FL 32301 • 850.222.3329 • FAX: 850.561.0192 • www.flpba.org

By Matt Puckett, Deputy Executive Director
LEGISLATIVE ACTIVITY FOR THE WEEK ENDING FEBRUARY 6, 2009

FEBRUARY INTERIM COMMITTEE WEEKS

Lawmakers were back in Tallahassee this week to start with the February Interim Committee Meetings. These weekly meetings will run until February 20th, followed by a weeklong break and then onto Tuesday, March 3rd, the start of the Annual Legislative Session.

PBA's lobbying activity for the week centered on finalizing our legislative agenda items. Our top concern was to ensure the proposed language for our legislation had met the drafting deadlines in both chambers. We also spent a number of hours in committee meetings listening to the various committees, state agencies and local governments discuss their proposals for the 2009 session. Aside from a few local government proposals, it was basically business as usual in Tallahassee.



Representative Larry Cretul

One noteworthy exception to the business as usual theme was the major change in the Florida House of Representatives leadership. Representative Ray Sansom has stepped down as the Speaker of the Florida House for 2009-2010. Since officially assuming the position in November, he has been the subject of relentless allegations surrounding his tenure as the House Appropriations Chairman which now involve investigations by a grand jury and the Florida Ethics Commission. House Speaker Pro Tempe Larry Cretul has assumed the duties of Speaker and only needs confirmation by the full House of Representatives on the opening day of session.

The task for next week is devoted to appropriations. The anticipated mood should be particularly somber considering revenues estimates dipped additional \$100 million in January. That's a \$200 million shortfall since December. Remember, Florida is constitutionally prohibited from running a deficit so lawmakers could once again be forced to reduce the current 2008-2009 operating budget prior to June 30th. However, our guess is that a significant amount of interest will be placed on the negotiations in Washington D.C. on the Federal Stimulus Package. That outcome will go along way in determining the direction of this year's session.

PBA LEGISLATION IN DEPTH

PBA Legislative Agenda has something for everyone. Our main objectives were to provide solutions to our issues that were either cost neutral, or revenue generators. Not all of the legislation is universal, so we will start with the broad reaching stuff and work our way down.

Law Enforcement, Correctional, and Correctional Probation Officers Bill of Rights.



SB 624 by Senator Mike Fasano

Referred to Community Affairs; Governmental Oversight and Accountability; Judiciary; Criminal and Civil Justice Appropriations.



Representative Ritch Workman is the House Sponsor

The bill is currently in House Bill drafting.

Synopsis: Currently, an officer who is the subject of a non-criminal investigation can review the complaint and all witness statements prior to the beginning of the investigative interview. This legislation will expand the types of evidence the subject officer can review to include new technology like audio recordings, video recordings, and GPS locator information related to the incident under investigation along with all other subject officer statements. The officer's representative or counsel will also be able to review this information. Finally, the officer will be able to seek remedies from the circuit court if an agency is found to have failed to comply disciplinary procedures.

Expanding the Florida Retirement System's Deferred Retirement Option Program for Law Enforcement, Correctional, and Correctional Probation Officers.**SB 1072 by Senator Carey Baker**

Referred to Criminal Justice; Community Affairs; Governmental Oversight and Accountability; Policy & Steering Committee on Ways and Means.

**HB 605 by Representative Will Snyder**

Not yet referred.

Synopsis: This legislation will allow an officer to extend his or her DROP date by up to additional 36 months. It also prohibits an officer who terminates following DROP participation from being reemployed by the same employer from which the officer retired. There are two exceptions to the reemployment provision: 1) a retiree can be elected, or appointed by the Governor or cabinet to an office; 2) a retiree may be retained by the same employing agency in a part-time or auxiliary position if the retiree receives no more than \$ 1 per calendar year for services rendered directly for the employing agency.

Firefighters and Municipal Police Officers Retirement Plans.**SB 538 by Senator Carey Baker -**

Referred to Community Affairs; Governmental Oversight and Accountability; General Government Appropriations; Policy & Steering Committee on Ways and Means

**HB 5 by Representative Ed Hooper**

Referred to Governmental Affairs Policy Committee; Economic Development & Community Affairs Policy Council; Finance & Tax Council; Government Operations Appropriations Committee; Full Appropriations Council on General Government & Healthcare

Synopsis: This legislation is a joint effort with the Florida Professional Firefighters with assistance from the Division of Retirement. It seeks to clarify and make a number of changes to local pension plans. Here are the changes pertaining to municipal police:

Revises definitions for purposes of determining prior service credit to include credit for past service federal, state and other county service as long as the service is recognized by the Criminal Justice Standards & Training Commission.

Authorizes terms of office for boards of trustees of pension & retirement trust funds to be revised under certain circumstances to extend from two to four year terms.

Increases to 25 percentage of trust fund assets that board of trustees may invest in foreign securities.

Provides that specified municipalities are eligible to receive premium taxes

Authorizes a municipality receiving police protection services to enact ordinance levying premium tax.

Authorizes retirees to change designation of joint annuitant or beneficiary up to two times without approval of board or prior joint annuitant or beneficiary.

Revises fund distribution procedures with respect to plan termination. This section will allow retirees to receive the assets from a terminated without having to sue the municipality.

Law Enforcement, Correctional, and Correctional Probation Officers Trust Fund.

Senator Dave Aronberg is the Senate sponsor.
The bill is in drafting.



Representative Julio Robaina is the House sponsor.
The bill is in drafting.

Synopsis: This legislation will create revenue by increasing certain fees relating to driver's licenses, inmates' canteens, and criminal expunctions to be used as supplemental salary increases for state law enforcement, correctional and correctional probation officers. The funds raised will be deposited into the Criminal Justice Standards & Training Trust Fund for the exclusive purpose of salary supplements.

Special Risk upgrade from two percent to three percent.



Senator Ted Deutch is the Senate sponsor.
The bill is in drafting.



HB 673 by Representative Carl Domino.
Not yet referenced.

Synopsis: Currently, when an officer purchases a Special Risk accrual rate credit upgrade for past service the accrual credit is capped at 2% instead 3%. This legislation will change the statute to reflect the 3% accrual rate for Special Risk service.

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.
