



CAPITOL REPORT

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

SESSION BEGINS

The 2009 Florida Legislative Session began this Tuesday with a whole lot of serious questions about our economic recovery and very little pomp and circumstance. However, PBA intends to start next week off right with the unveiling of our “Officer Down” Memorial ceremony.



The Florida PBA’s “Officer Down” Memorial is now in place by the Law Enforcement Officers’ Memorial in the Capitol’s Courtyard. The official unveiling ceremony begins at 10:00 am, Monday, March 9th. The memorial, by sculptor Michael Jernigan, is a fitting depiction of the honor, courage, commitment and sacrifice officers and their families make by proudly wearing the badge. The statue enhances the memorial site of the Capitol and will surely draw each visitor into the area. We invite everyone to join us for the ceremony.

Inside the Capitol, the business of the day is conducted solemnly. The Legislature spent time getting acquainted with Governor Charlie Crist’s budget recommendations. The process of crafting a state budget is the sole purpose of session, which leaves issues not related to economic stimulus, job creation, and revenue restructuring at a disadvantage when the committees set the agenda. Basically, if the issue could help the economy; it is on a fast track for a hearing... if not, it moves down the list.

The appropriations committees continue to sift through each agency’s budget looking for areas to reduce. Believe it or not, there are some agencies operating on budgets with more than a little “fat” left on the “meat.” The odds are strongly against the “fat” surviving another fiscal year.

Vice President Alan Miller and Sergeant Bruce Polk from the **Northwest Florida PBA Chapter** joined the lobbying team in Tallahassee this week. They made contact with members of their local delegation and attended several meetings related to public safety funding. It was a pleasure to have them up here working with us and we look forward to seeing them again.

As always stay safe and please join us sometime over the next two months.

PBA Legislative Agenda

Law Enforcement Officers' Bill of Rights



SB 624 by Senator Mike Fasano

Referred to:

Community Affairs;

Governmental Oversight and Accountability;

Judiciary;

Criminal and Civil Justice Appropriations



HB 1107 by Representative Paige Kreegel

Filed on 2/24/2009

Not yet referenced

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 with disciplinary procedures.

DROP Expansion



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

Referred to:
Governmental Affairs Policy Committee;
Economic Development & Community Affairs Policy Council;
Government Operations Appropriations Committee;
Full Appropriations Council on General Government & Health Care

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

On Committee Agenda - Community Affairs Committee, 03/10/09, 10:30 am, 412 K



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 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 plan without having to sue the municipality.

UPDATE: Senator Carey Baker presented **SB 538** to the **Senate Community Affairs Committee** on Tuesday, March 3rd. The **Florida Professional Fighters** and lobbyists from the **Florida PBA** were present at the meeting to offer support. **FPF Lobbyist Randy Touchton** was able to publicly make the case for the bill's passage before **Florida League of Cities Lobbyist Kraig Conn** made his remarks opposing the legislation. **Chairman Mike Bennett**, sensing the issue would take up more than its time allotment, temporarily postponed the bill until next week in order to move the committees' lengthy agenda. **SB 538** is back on the committee's agenda scheduled for next **Tuesday at 10:30 am**.

State Officers Trust Fund



SB 2238 by Senator Dave Aronberg

Filed on 2/27/2009

Not yet referenced



HB 1195 by Representative Julio Robaina

Filed on 2/27/2009

Not yet referenced.

Synopsis: This legislation will create revenue by increasing certain fees 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



SB 1572 by Senator Ted Deutch

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

On Committee agenda - Community Affairs Committee, 03/10/09, 10:30 am, 412 K



HB 673 by Representative Carl Domino

Referred to:
 Governmental Affairs Policy Committee;
 Military & Local Affairs Policy Committee;
 Economic Development & Community Affairs Policy Council; Finance & Tax Council

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. We are working closely with the Florida Professional Firefighters on this issue.

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.



Senator Carey Baker presents SB 538 to the Senate Community Affairs Committee. PBA lobbyists fill the row directly behind him.



Northwest Florida PBA member Bruce Polk (front left) advising Representative Brad Drake (seated) on legislation prior to a committee meeting in the Florida House. SCO President Jim Baiardi (left) and Northwest Florida Chapter Vice President Alan Miller (right) observe.



PBA Lobbyist Don Teems (left) and NW Vice President Alan Miller (center) discuss SB 538 with Senator Carey Baker (right) following the Senate Community Affairs Committee.



The PBA "Officer Down" Memorial will be unveiled on Monday, March 9th at 10:00 am.