



# CAPITOL REPORT

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By Matt Puckett, Deputy Executive Director  
LEGISLATIVE ACTIVITY FOR THE WEEK ENDING MARCH 7, 2008

## BAD WEATHER BOOKENDS THE FIRST WEEK OF SESSION THE NEWS INSIDE THE CAPITOL DOES LITTLE TO BRIGHTEN THE MOOD

The Legislature was greeted with a dark sky and heavy rain Tuesday as it kicked off what should be a gloomy session. The Legislators unfortunate first order of business was reducing the current operating budget by another \$500 million. By Thursday, both chambers had brought appropriations bills to the chamber floors that reduced every facet of state government. The agreement on the final budget reduction plan is expected by this weekend with a vote in both chambers by mid-week.



*PBA Officials attend Committee meeting*

The good news for our membership, if you can call it such, is that no positions were reduced. This legislature realized the hardship officers at understaffed agencies are facing and at least kept the funding in place to fill the gap. It was said a number of times throughout the week that when the economy does poorly, the crime rate increases. The legislature was as careful as possible to not further aggravate the circumstances by reducing the number of people performing law enforcement and correctional duties. We certainly appreciate their recognition that protecting the domestic tranquility of our citizens has to be a priority.

The bad news is that we are staring down a \$2.5 billion dollar shortfall in the coming year. Money out of General Revenue for such luxuries as keeping the lights on may be hard to come by... just ask our friends in the court system who dodged a bullet this week by convincing the Legislature that the reductions to their funding would force them to take furloughs system wide plus enact layoffs. The thought

of our courts shutting down for brief periods had Legislators scrambling for loose change.

So the obvious question is will there be money for pay raises this year. Well... we shall see.

As of this writing, it is not all that promising that a pay raise from the General Revenue fund will occur, but each of the state chapters has been working to come up with alternative funding sources to provide some type of increase. Last year the Legislature told us to think outside of the box when it comes to money for pay increases and your chapter leadership has taken that suggestion to heart. For our part, the Florida PBA has met with the Legislative leadership on the need to be creative and innovative in order to provide you with a solution to this crisis. They fully understand that there is no better time than now to take a chance on alternative funding.

Of course there are other items on our agenda, such as the bills we are running to extend the DROP by an additional 36 months (see our Legislative Agenda on **page 5** for bill numbers). Our purpose for this issue is to stem the tide during the downturn in recruiting. If agencies are already struggling to bring in new highly qualified recruits, then losing their veteran officers compounds the problem. Let's face it, DROP is a great incentive to keep a number of the vets around, but it is merely placing a band-aid on the recruiting and retention problem. The line of work is so demanding that even the money earned from extending to eight years of DROP may still prove too little of an enticement for an officer ready to end his or her career. With that said, every little bit helps and we are very excited about the chances for success on this issue.

We are still trying to finish the job on issues related to past service in the FRS. Our Academy Time Buyback legislation is filed again this year. Briefly, this legislation allows certain officers who went through an employer sponsored certified training academy during the late seventies and early

eighties to purchase special risk credit for that time period. Some officers were not placed in the special risk category by their employer for this training as required by law. This mistake requires the officers to work an additional four to six months to receive full retirement credit. Unfortunately, we have been plagued with bad timing on this issue. Every year the Legislature refuses to pass FRS legislation if it has a fiscal cost attached to it. The costs associated with the Academy Bill are small when compared to a \$70 Billion Budget, but they are costs nonetheless. We are hopeful that perhaps this year we can slip this one in.

The other issue related to FRS is our so called Two to Three bill. This legislation will allow an officer in a municipal retirement plan who is brought into FRS the ability to receive the 3% accrual rate for past service in the municipal plan. Currently, the accrual for past service is statutorily set at 2%. This legislation is a joint effort with our friends at the Florida Professional Firefighters Association. Although the fiscal for this is not quite as small as the fiscal attached to the Academy Bill, we are equally hopeful that we can get it done this year.

We are also updating the definition of correctional officer in s. 943.10 (2) F.S., to include correctional officers working in forensic facilities for the Department of Children & Family Services. Certified Correctional Officers have

been employed as Institutional Security Specialists by DCF since the seventies in certain facilities under the Department's authority and it is only recently that a question has been raised as to whether or not the officers need to be certified. This legislation clarifies that officers employed with the Department in these facilities are correctional officers and must be certified as such. There are no costs associated with this update and we anticipate its passage.

Well, the picture is gloomy on the money side, but we still have some chances to get our full agenda through. If we are able to secure some alternative funding sources perhaps every officer employed with the state can get a nice pay raise, or at least some money. We feel comfortable with our chances at the nonmonetary issues like the eight year DROP extension and updating the definition of Correctional Officer. However, we caution all of you to stay focused during this time and avoid the rumors. Nothing has passed or failed yet, so now is not the time to throw in the towel or jump for joy. We have a long way to go before anything is finalized. As always we look forward to seeing many of you in Tallahassee to help with our efforts. Stay safe.

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## **Tallahassee Democrat**

### **Budget agreement expected today**

by Jim Ash  
FLORIDA CAPITAL BUREAU CHIEF

House and Senate leaders were still haggling Thursday over a few remaining differences after agreeing to most of the more than \$500 million in cuts to this year's nearly \$70 billion state budget.

House Speaker Marco Rubio, R-West Miami, and Senate President Ken Pruitt, R-Port St. Lucie, are expected to sign off on a final deal today with formal passage early next week.

The Senate voted 26-13 on Thursday morning to approve a \$504.3 million plan, despite repeated pleas by Democrats to dip into a \$1.2 billion "rainy day" fund or to close corporate and sales tax loopholes to soften the blow.

Former Senate President Gwen Margolis of Sunny Isles Beach was the only Democrat who voted for the measure.

Republicans refused to consider raising new taxes in a punishing economic climate and warned that dipping into the emergency "budget stabilization fund" would only delay the inevitable.

"There are very high standards for how you access that fund. I'm not sure how we would be able to pay it back," said Senate budget Chief Lisa Carlton, R-Osprey. "It is a road that once you go down, it is very, very difficult to come back from."

The Senate plan was only slightly less punishing than the \$518 million in cuts that Republicans pushed through the House the day before.

Negotiators for both chambers agreed to the largest portion of the cuts, public education, within an hour of the Senate vote. The Senate went along with a House proposal to restore \$8 million in raises to teachers who earn national board certification.

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"The process works," said House negotiator Thad Altman, R-Merritt Island. "This is very big for Brevard County. We have more than 400 teachers who are nationally board certified. They did the right thing and they were about to get their money."

House education chief Joe Pickens, R-Palatka, quickly pointed out that the latest reduction only whittles down a 7 percent per-student spending increase approved last year to a 4.5 percent increase, or \$302 per student.

Victor Crist, the Tampa Republican who chairs the criminal justice spending committee, said lawmakers "squeezed" every corner of the budget to find \$2.5 million in additional dollars to stave off furloughs for public defenders and prosecutors. The House and Senate agreed late Thursday to a plan that would give the prosecutors and public defenders the authority to share money collected from court fines, with the understanding that not all the money would have to be tapped.

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## THE FHP FUNDING BILL RECEIVES UNANIMOUS SUPPORT IN THE SENATE TRANSPORTATION COMMITTEE



Senator Mike Fasano presents SB 920 on Tuesday

**Senator Mike Fasano** presented **SB 920**, the FHP structured pay plan funding bill, to the **Senate Transportation Committee** on the opening day of session. This bill will increase certain fees associated with license reinstatements then it directs these funds into the Highway Safety & Motor Vehicle Operating Trust Fund for the exclusive purpose of establishing and funding a structured pay plan for Troopers. This idea is the product of **PBA's Florida Highway Patrol Chapter Board of Directors'** determination to fix the pay compression problems plaguing the Patrol. They knew after last year's poor ending to the session that it was time to try something different if the problem was ever going to be solved. The money flowing into General Revenue is rapidly shrinking so they thought perhaps the state could generate some new money by upping the fines for bad behavior. The Legislature has been very receptive to the idea so far. In fact a number of committee members were eager to publicly offer their support for the issue before a vote was even taken. Not surprisingly, the committee approved **SB 920** by unanimous vote.

**PBA's FHP Chapter Legislative Liaison Tim Roufa, PBA Deputy Executive Director Matt Puckett, and members of the FOP** offered support of the legislation during the meeting. We will keep you posted.

Briefly, on Thursday the **House Infrastructure Committee** took yet another look at the possible abolishment of the FHP. As has been the case at every committee, no one thought it was a plausible idea. Also similar to every meeting, the committee members led by **Committee Chairman Representative Rich Glorioso and Representatives Greg Evers, Michael Scionti, Susan Bucher, and Ed Hooper** openly discussed their support to fix the pay compression problems at FHP. **DHSMV Executive Director Electra Bustle** testified before the committee that fixing the pay problem was the top concern of the Department.

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## STOP THE “MURDER OF LAW ENFORCEMENT OFFICERS”

The title of this legislation says it all. **Representative Will Snyder (HB 321)**, a former Law Enforcement Officer, and **Senator Paula Dockery (SB 1064)** have a blunt statement to make... if you attempt to kill an officer then you go to prison for life. After the horrible deaths of so many officers last year, these Legislators wanted to send a message to not only the Law Enforcement Community, but to the thugs too. Simply put... Florida means business. If some scumbag fires a really bad shot at an officer, he or she will still spend life behind bars.

“We will not reward someone with a lighter sentence for poor marksmanship,” is an often used phrase by **Representative Snyder**. We couldn't agree more.



*Palm Beach County President John Kazanjian, PBA Treasurer Ernie George and Southwest Florida Chapter President Mick McHale talk with Senator Dave Aronberg following the hearing for the Murder of LEO legislation.*

Florida PBA officials offered wholehearted support for the legislation during two separate committees on Wednesday. We greatly appreciate all the support for this issue and will keep you posted as it moves through the process.

## STATE MAY PAY PREMIUMS FOR RETIREES HEALTH INSURANCE

**Senator Al Lawson's SB 1034** will remove the statutory language that prevents the state from paying the FRS Health Insurance Subsidy (maximum of \$150 per month) towards retiree state health insurance premiums. Although this change will not require the state to pay the Health Insurance Subsidy premiums, at least lifting the prohibition will allow the Legislature to appropriate money for that purpose if it so chooses. .

**PBA Executive Director David Murrell** offered our support for this legislation at the **Senate Government Operations Committee** on Thursday.

# PBA LEGISLATIVE AGENDA FOR 2008

- 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, at the rank of Captain and below, an additional 36 months (**Representative Julio Robaina HB 501 and Senator Carey Baker – SB 706**)
- Legislation including Institutional Security Specialist to the definition of Certified Correctional Officer. (**Representative Pat Patterson – HB 427 and Senator Ted Deutch – SB 924**)
- Legislation allowing for purchase of Special Risk credit for certain academy time. (**Representative Anitere Flores – HB 379 and Senator Mike Fasano – SB 106**)
- Legislation changing the Special Risk upgraded credit from two percent to three percent. (**Representative Ed Hooper – HB 397 and Senator Mike Fasano – SB 294**)
- Support for the Officer Malcolm Thompson Act. (**Representative Frank Attkisson – HB 57 and Senator Steve Oelrich – SB 1024**)
- Support for legislation to place security cameras in certain late night business parking lots (**Representative Ari Porth HB 325/HB 327 and Senator Jeff Atwater SB 2770/SB 2774**)
- Support for legislation to require life sentences for murder or attempted murder of a law enforcement officer. (**Representative Will Snyder – HB 321 and Senator Paula Dockery - SB 1064**)

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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*Senator and former Alachua County Sheriff Steve Oelrich (center) meets with North Central Fla PBA Chapter Trustee Brandon Kutner (left) and Alachua County Sheriff Deputy Sherri French at the Capitol.*



*Senator Mike Bennett (right) takes a minute with Southwest Fla PBA Chapter President Mick McHale after the Senate Criminal Justice Committee meeting on March 5th.*



*PBA Correctional Officers Chapter President Jim Baiardi (left), North Central Fla PBA Chapter Trustee Brandon Kutner (center) and PBA Correctional Probation Officers President Richard Gordon in front of the Senate Chambers on the first day of the 2008 Legislative Session.*



*Senator Mike Bennett (left) talks with Southwest Fla PBA Chapter President Mick McHale and PBA Executive Director David Murrell following the Senate Criminal Justice Committee meeting.*