



*Florida Police Benevolent Association, Inc.*



# CAPITOL REPORT

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*By Matt Puckett, Deputy Executive Director*

LEGISLATIVE ACTIVITY FOR THE WEEK ENDING MARCH 21, 2008

## PLAYING DEFENSE DURING A SHORTENED WEEK

At the close of last year's session, we began preparing for a week like this week. We knew that the bulk of our lobbying this year would be focused on playing defense for our current benefits. Well, now it is beginning to happen with tremendous frequency.

The news came in last week that revenue estimates are \$1.5 Billion below the previous estimates. Immediately state agencies are factoring in their reductions to the budget, which could be as high as 10%. Such reductions can only happen at the expense of so-called "live" positions... meaning layoffs and forced retirements. Unfortunately, the **Department of Corrections** and the **Florida Fish and Wildlife Conservation Commission** are staring down reduction scenarios that involved cutting positions.

In the **Department of Corrections**, **Secretary Walter McNeil** is receiving a baptism by fire as he grapples with the possibility of cutting 185 Security positions and 349 Community Corrections positions. He told legislators in both the House and Senate that the impact of reducing staff puts the public and our officers at significant risk. He made a strong statement to avoid at all costs the possibility of 10% reductions to his budget. Officers from the **Florida Correctional Probation Officers Chapter** and the **State Correctional Officers Chapter** spent all of Tuesday and Wednesday visiting with Legislators on the subject.

The **Florida Fish and Wildlife Conservation Commission** found itself in a similar position. If a 10% budget reduction is placed on the agency up to 90 positions could be eliminated. **Colonel Julie Jones** and **State Law Enforcement Officers Chapter President Matt Tyre** met Wednesday morning to discuss all the options on the table to prevent these cuts. As with the situation in Corrections, our best hope is a reduction less than 10%.

Other agencies are proposing similar cuts too: **Department of Agriculture** to eliminate six vacant law enforcement positions; **Department of Environmental Protection** to reduce overtime funding by \$21,635; **Office of Financial Regulation** to eliminate seven investigative staff positions.

None of these agencies want to cut staff... in fact the agencies offer sobering words to the Legislature on the impact these cuts will have on officers' and the public's safety. We are joining the agencies in the call to not cut the budget by 10%. So far only the **Senate** has been adamant in the 10% requirement; however, we must hold both chambers accountable to ensure the positions are retained.

Protecting positions was not our only task this week. On Tuesday, the **Senate Commerce Committee** held a hearing on **SB 2310** by **Senator Jeremy Ring**. His legislation would allow the **State Board of Administration** to invest up to one percent of the state pension fund into economically targeted investments with

an eye on certain business sectors in Florida. It is a concept being used in other states with a moderate degree of success to the pensions and businesses being targeted by the investments. In theory, we agreed, but we made it very clear that risking the money in the pension fund should be done in a fiscally responsible way, which means it should be handled like the statutes require all other investments in the fund. Senator Ring fully agreed. Now the fun begins.

During the Senator's presentation of the bill, a late filed amendment to the bill was introduced, which in our opinion and in the opinion of **Senator Evelyn Lynn** dramatically changed the investment strategy provided in the bill we agreed too. The amendment removed the one percent cap on the investments and actually made it open ended, which essentially meant the SBA could invest as much as it wanted into these targeted Florida businesses. Senator Lynn was not having any of that. She began asking where the pension fund's safeguards were in this amendment. Our lobbyists were equally alarmed especially once we heard testimony from representatives of the Florida Business community enthusiastically supporting the amendment. Clearly, a fast one had just been attempted.

All that changed once **Florida PBA Executive Director David Murrell** got his chance to speak before the committee. Mr. Murrell told the members that, yes, we supported the concept, but that we shared Senator Lynn's concerns and would not support the bill as amended. He also slipped in a reminder that the SBA had just gotten

itself out of hot water for some very poor money managing with the Local Government Investment Pool. (The short version of that issue is that the SBA ignored warnings that its investment in Subprime Mortgage backed security were extremely risky, which we all know has led to the current economic crisis gripping our country. The lack of concern by the SBA resulted in investment losses and a number of local governments pulling their funds out of the investment pool. The trustees, **Governor Charlie Crist, Attorney General Bill McCollum and Chief Financial Officer Alex Sink**, were forced to freeze the fund then authorize a complete restructuring investment oversight.) Mr. Murrell's comments prompted Senator Ring to immediately ask that the amendment be removed from further consideration and the committee approved the bill with the one percent cap in place. **The bottom line: PBA will always be there to protect our retiree's pensions.**

Afterwards, we learned from Senator Ring that it was the **State Board of Administration** that had asked for the amendment and he assured us that he would not allow an opened cap on the bill. We certainly appreciate his response to our concerns.

That type of defensive play sums up the week for us. We are in for more struggles as the session moves along. As always we look forward to seeing many of you up here in the coming weeks and please continue to stay informed by reading this weekly publication.

## FLORIDA HIGHWAY PATROL FUNDING BILL RECEIVES UNANIMOUS SUPPORT IN THE INFRASTRUCTURE COMMITTEE



FHP Chapter President Bill Smith talks with DHSMV Executive Director Electra Bustle during the week in Tallahassee.

**HB 831 by Representative Marcello Llorente** received unanimous support in the **House Infrastructure Committee** on Thursday. The Legislation will increase penalties and fees for certain reinstated driver's licenses due to revocation and suspensions. The funds collected by the increases will go into the **Highway Safety and Motor Vehicles Operating Trust Funds** to be used to increase Troopers' salaries. This is the bill's first hearing in the House and it now travels to **House Economic Expansion & Infrastructure Council**. **SB 920 by Senator Mike Fasano** is currently in the **Senate Government Operations Committee**.

In short (and please forgive me if I failed to mention some person or group) **Florida Highway Patrol Chapter of the PBA President Bill Smith, Florida PBA Deputy Executive Director Matt Puckett, Florida Association of State Troopers Lobbyist Drew Medcalf, Florida Highway Patrol Colonel John Czernis, Department of Highway Safety & Motor Vehicles Executive Director Electra Bustle and Lobbyist Herb Sheheane** were all present to offer public support for the legislation. Congratulations to the FHP Chapter on a job well done.

### ON A SEPARATE NOTE...

By now, many of you are aware that the **House of Representatives** is considering a merger of the **Motor Carrier & Compliance** and the **Florida Highway Patrol**. So far only the House is considering such a merger. There are a number of hurdles to clear before this idea really takes off. So please stay tuned to this publication for news in regards to the potential merger.

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## BRIEF UPDATES...

### STOP THE “MURDER OF LAW ENFORCEMENT OFFICERS”

**Representative Will Snyder** moved **HB 321** through its final committee stop on Tuesday. The **House Policy & Budget Council** approved his bill by a unanimous vote. It should be available for second reading on the House calendar by next week. **SB 1064** by **Senator Paula Dockery** is on the **Senate Judiciary Committee** agenda for next Tuesday.

### SENATE CRIMINAL JUSTICE COMMITTEE APPROVES TOUGHER PENALTIES FOR ASSAULT WEAPONS

**Senator Gwen Margolis** passed **SB 782** during the **Criminal Justice Committee** on Tuesday. The legislation strengthens penalties against a person who uses an assault weapon against another person and goes after anyone who willfully and knowingly buys these weapons with illegal identification. **HB 425** by **Representative Evan Jenne** is the legislation’s House Sponsor.

### MUNICIPAL POLICE AND FIREFIGHTER BILL PASSES URBAN & LOCAL AFFAIRS COMMITTEE

**Representative Ed Hooper** passed **HB 171** during the **House Urban & Local Affairs Committee** on Wednesday. **The Florida Professional Firefighters** have been working to make changes to the investment strategies statutorily required of local pension plans for police and firefighters. The bill also addresses what is considered prior service for a police officer and a firefighter. We support this good legislation and will continue to work with the FPF to try to pass it. **SB 976** by **Senator Dennis Jones** is the Senate companion to this legislation.

### SENATE INSTITUTIONAL SECURITY SPECIALIST ON CRIMINAL JUSTICE AGENDA FOR NEXT TUESDAY

**SB 924** by **Senator Ted Deutch**, which changes the definition of Correctional Officer to include the institutional security specialists employed by the **Department of Children & Family Services**, will receive its first hearing on Tuesday in the **Senate Criminal Justice Committee**. **HB 427** by **Representative Pat Patterson** is currently in the **House Safety & Security Council** waiting to be placed on the agenda.

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# 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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Representative Will Kendrick (left) talks with members of the SCO Chapter



Senator Don Gaetz (center) meets with Florida Correctional Probation Chapter Board Members Gil Fortner and Tammy Marcus



Congressman Ron Klein (left) meets with lobbyist from the Florida PBA



Representative Jack Seiler (left) meets with Broward County PBA Legislative Director Mike Casey



Florida Correctional Probation Officers President Richard Gordon (front) and SCO Chapter President Jim Baiardi along with officers from Santa Rosa CI listen during Safety & Security Council meeting



Senator Nan Rich spends sometime with Broward County PBA Legislative Director Mike Casey