

FPF Legislative Session Report

April 3-7, 2017



The fifth week is now complete, which means we have four weeks remaining in the regular session. During the next few weeks, most of the attention will be focused on wrapping up their committee schedules and the budget from each chamber.

SB 7022 is the FRS rate bill, which has passed two committees, Governmental Oversight and Accountability and Appropriations, unanimously. The Senate bill is on the special order calendar for next Wednesday. The House companion bill goes far beyond just setting the contribution rates for the FRS.

HB 5007 is the vehicle for many significant changes to FRS. The bill changes the default to the investment plan if no selection is made in the first five months of employment. HB 5007, which was formerly PCB GAC 4, passed the House Appropriations 18 yeas to 8 nays, and is now on the special order calendar for Wednesday.

Our efforts continue to be productive as we shepherd several issues that could adversely affect the way fire rescue deals with substance abuse, employee assistance programs, drug overdoses and the subsequent reporting. We continue to follow all the fire safety bills and work with our comrades, the Fire Chiefs and Fire Marshals, to find compromise language for these bills.

The Senate bill (SB 1108) by Frank Artiles to extend the public records exemption for firefighters to include former firefighters, passed the Rules Committee 12 yeas with no nay votes. The bill has been placed on the calendar for 2nd reading. The House companion (HB 383) by Matt Willhite remains on the House calendar for 2nd reading.

With increasing workers' compensation rates, the Florida legislature is trying to find a compromise to stabilize this industry. Many employer groups are demanding action in response to the 14.5 percent rate increase back in December. Many blame the recent Supreme Court decisions, which rejected parts of the current workers' compensation law that limits benefits and limits attorney fees.

In some cases, our workers' comp system is in the middle compared to other states, but many provisions, such as Cancer presumption, Florida is far behind a vast majority of the other states.

The business groups' plan would eliminate limits on attorney fees, instead requiring injured workers to pay their own attorney fees and restrict judges from awarding attorney fees to be paid by employers or insurance carriers. The Florida Justice Association objected. Their opinion is this rate increase has been a "blatant cash grab by the insurance industry masquerading as a lifeline for small businesses."

The House Insurance & Banking Subcommittee agreed to a proposed committee bill (PCB IBS 17-01) in an attempt to rectify the Florida Supreme Court's objections to limits on attorney fees. The bill would retain the state's statutory fee schedule, which is tied to the benefits received. Judges of compensation claims would be allowed to award hourly fees with a maximum fee of \$150 per hour. Eligibility for temporary wage replacement in chronic cases would be extended from the existing 140 weeks to 260. Some believe this bill could reduce premiums by 5 percent or more.

A Senate committee approved a bill (SB 1582) that would revamp parts of the workers' compensation insurance system, which would allow judges of compensation claims to award attorney fees up to \$250 an hour in an attempt to respond to the Supreme Court ruling. The Senate bill is now in Appropriations.

Senator Bradley, who is sponsoring the bill, said his proposal is an attempt to respond to the Supreme Court ruling by finding some middle ground. This subject will continue to be a major part of the debate between the House and the Senate as the Session draws to a close. We will continue to watch this very closely as it may directly affect the Cancer and PTSD bills.

Last week, we incorrectly reported that the House passed HB 11 with four Republicans voting no. To set the record straight, the bill passed the House floor by a 75 to 41 vote with three Republicans; Altman, Goodson and Plasencia voting no and Representative Ahern voting yes.

In addition to Vice President Rocco Salvatori and Secretary/Treasurer Gilbert Marsh, we had 5th DVP Watler and 9th DVP Vroman that traveled to Tallahassee; their assistance is greatly appreciated.

RETIREMENT

[GAC4 Relating to Florida Retirement System \(Government Accountability Committee\)](#) [PCB GAC 17-04](#)

FPF Position: Oppose

3/27/2017 HOUSE Filed. 3/27/2017 HOUSE On Committee agenda - Government Accountability Committee, 03/29/17, 8:00 am, 17 H. 3/29/2017 HOUSE Submitted as Committee Bill with Amendment by Government Accountability Committee; 14 Yeas, 8 Nays. 3/30/2017 HOUSE Committee Bill Filed as H 5007.

[HB 5007 Relating to Florida Retirement System \(Government Accountability Committee\)](#)
[Companion Bills: SB 1246 \(Brandes\), SB 2500 \(Appropriations\), HB 5001 \(Appropriations Committee\), SB 7022 \(Governmental Oversight and Accountability\)](#)

FPF Position: Oppose

Florida Retirement System: Provides for compulsory membership in the investment plan for certain employees in the Elected Officers' Class; prohibits certain members of the Elected Officers' Class from joining Senior Management Service Class; authorizes renewed membership in retirement system for certain retirees who are reemployed in position eligible for Elected Officers' Class; provides for renewed membership in retirement system for certain retirees of Senior Management Service Optional Annuity Program; requires that certain retirees reemployed on or after specified date to be renewed members in investment plan; revises criteria for eligibility of payment of death benefits to surviving children of a Special Risk Class member killed in line of duty under specified circumstances; prohibits participation in pension plan; provides that certain retirees eligible for State University System Optional Retirement Program or State Community College System Optional Retirement Program are renewed members of that program; authorizes payment of death benefits to surviving spouse or surviving children of member in investment plan; adjusts employer contribution rates. Effective Date: July 1, 2017. 3/30/2017 HOUSE Filed (Formerly PCB GAC4). 3/30/2017 HOUSE Referred to Appropriations Committee. 3/30/2017 HOUSE Now in Appropriations Committee. 4/3/2017 HOUSE On Committee agenda - Appropriations Committee, 04/05/17, 9:00 am, 212 K. 4/5/2017 HOUSE Favorable by Appropriations Committee; 18 Yeas, 8 Nays. 4/5/2017 HOUSE Placed on Calendar, on 2nd reading. 4/6/2017 HOUSE Placed on Special Order Calendar, 04/12/17.

[SB 7022 Relating to State-administered Retirement Systems \(Governmental Oversight and Accountability\)](#)

[Companion Bills: SB 2500 \(Appropriations\), HB 5001 \(Appropriations Committee\), HB 5007 \(Government Accountability Committee\)](#)

FPF Position: Watch

State-administered Retirement Systems; Revising required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System, etc. Effective Date: 7/1/2017. 2/27/2017 SENATE Filed. 2/27/2017 SENATE On Committee agenda - Governmental Oversight and Accountability, 03/06/17, 4:00 pm, 401 S. 3/6/2017 SENATE Submitted as Committee Bill by Governmental Oversight and Accountability; 6 Yeas, 0 Nays. 3/7/2017 SENATE Committee Bill Text Filed. 3/14/2017 SENATE Referred to Appropriations. 3/31/2017 SENATE On Committee agenda - Appropriations, 04/05/17, 10:00 am, 412 K. 3/31/2017 SENATE On Committee agenda - Appropriations, 04/06/17, 8:00 am, 412 K. 4/5/2017 SENATE Favorable by Appropriations; 18 Yeas, 0 Nays. 4/6/2017 SENATE Placed on Calendar, on 2nd reading. 4/6/2017 SENATE Placed on Special Order Calendar, 04/12/17.

EMS ISSUES

[HB 229 Relating to Programs for Impaired Health Care Practitioners \(Byrd\)](#)

[Companion Bill: SB 876 \(Young\)](#)

FPF Position: Watch

4/3/2017 HOUSE Committee Substitute Text (C2) Filed. 4/4/2017 HOUSE Placed on Calendar, on 2nd reading.

GOVERNMENTAL OPERATIONS

[HB 11 Relating to Labor Organizations \(Plakon\)](#)

[Companion Bill: SB 1292 \(Baxley\)](#)

FPF Position: Oppose

4/4/2017 SENATE In Messages. 4/5/2017 SENATE Received; Referred to Commerce and Tourism; Governmental Oversight and Accountability; Appropriations; Rules.

[HB 139 Relating to Local Tax Referenda \(Ingoglia\)](#)

[Companion Bill: SB 278 \(Steube\)](#)

[FPF Position: Watch](#)

4/3/2017 HOUSE On Committee agenda - Ways & Means Committee, 04/05/17, 9:00 am, 17 H. 4/5/2017 HOUSE Favorable with CS by Ways & Means Committee; 15 Yeas, 2 Nays. 4/6/2017 HOUSE Committee Substitute Text (C1) Filed. 4/7/2017 HOUSE Now in Government Accountability Committee.

[SB 1108 Relating to Public Records/Firefighters and their Spouses and Children \(Artiles\)](#)

[Companion Bill: HB 383 \(Willhite\)](#)

[FPF Position: Support](#)

4/3/2017 SENATE On Committee agenda - Rules, 04/06/17, 10:30 am, 110 S. 4/6/2017 SENATE Favorable by Rules; 12 Yeas, 0 Nays. 4/6/2017 SENATE Placed on Calendar, on 2nd reading.

LOCAL BILLS

[HB 533 Relating to City of Tampa, Hillsborough County \(Cruz\)](#)

[FPF Position: Support](#)

4/4/2017 HOUSE On Committee agenda - Government Accountability Committee, 04/06/17, 1:30 pm, 17 H. 4/6/2017 HOUSE Favorable by Government Accountability Committee; 19 Yeas, 0 Nays. 4/6/2017 HOUSE Placed on Calendar, on 2nd reading.

STATE EMPLOYEES

[SB 1020 Relating to Collective Bargaining Impasses \(Powell\)](#)

[FPF Position: Watch](#)

4/4/2017 SENATE Read Third Time; Passed (Vote: 34 Yeas / 0 Nays). 4/6/2017 HOUSE In Messages.

WORKERS COMPENSATION

[SB 1582 Relating to Workers' Compensation Insurance \(Bradley\)](#)

[Companion Bill: HB 7085 \(Insurance & Banking Subcommittee\)](#)

[FPF Position: Watch](#)

Workers' Compensation Insurance; Requiring carriers to authorize or decline, rather than respond to, certain requests for authorization within a specified time; revising conditions under which the Office of the Judges of Compensation Claims must dismiss petitions for benefits; adding prospective loss costs to a list of reviewable matters in certain proceedings by appellate courts; requiring copies of prospective loss costs to be filed with the Office of Insurance Regulation, etc. Effective Date: 7/1/2017. Current Committee of Reference: Appropriations. 3/3/2017 SENATE Filed. 3/14/2017 SENATE Referred to Banking and Insurance; Appropriations; Rules. 3/29/2017 SENATE On Committee agenda - Banking and Insurance, 04/03/17, 4:00 pm, 110 S. 4/3/2017 SENATE Favorable by Banking and Insurance; 7 Yeas, 1 Nay. 4/4/2017 SENATE Now in Appropriations.

[IBS1 Relating to Workers' Compensation \(Insurance & Banking Subcommittee\)](#)

[PCB IBS 17-01](#)

[FPF Position: Watch](#)

3/10/2017 HOUSE Filed. 3/10/2017 HOUSE On Committee agenda - Insurance & Banking Subcommittee, 03/14/17, 2:00 pm, 404 H. 3/14/2017 HOUSE Submitted as Committee Bill by Insurance & Banking Subcommittee; 14 Yeas, 1 Nay. 3/21/2017 HOUSE Committee Bill Filed as H 7085.

[HB 7085 Relating to Workers' Compensation \(Insurance & Banking Subcommittee\)](#)

[Companion Bill: SB 1582 \(Bradley\)](#)

[FPF Position: Watch](#)

Workers' Compensation: Requires Governor, or CFO in certain circumstances, to appoint member to fill vacancy on panel that establishes workers' compensation schedules within specified timeframe; requires panel to annually adopt statewide schedules of maximum reimbursement allowances; extends timeframes in which employees may receive certain workers' compensation benefits & in which carrier must notify treating doctor of certain requirements; revises provisions relating to retainer agreements & awarding attorney fees. Effective Date: July 1, 2017. 3/21/2017 HOUSE Filed (Formerly PCB IBS1). 3/24/2017 HOUSE Referred to Commerce Committee. 3/24/2017 HOUSE Now in Commerce Committee. 3/27/2017 HOUSE On Committee agenda - Commerce Committee, 03/29/17, 8:30 am, 212 K. 3/28/2017 HOUSE Removed from agenda - Commerce Committee, 03/29/17, 8:30 am, 212 K. 4/4/2017 HOUSE On Committee agenda - Commerce Committee, 04/06/17, 1:30 pm, 212 K. 4/6/2017 HOUSE Favorable with CS by Commerce Committee; 20 Yeas; 9 Nays.