

FPF Legislative Session Report

April 10-14, 2017



We are entering the home stretch of the 2017 Legislative Session. There are three weeks remaining to move bills and pass a difficult budget. It would seem that time is running out for some bills. Please be assured that we are all working hard on your behalf to find a way to keep some bills moving and stopping other bills.

The Legislature had a shortened week in observance of Passover and they took a break for "Good Friday", resuming the normal schedules Monday the 17th. We hope everyone has a great Easter weekend with family and loved ones.

With our firefighters battling wildfires statewide, burning more than 23,800 acres, Governor Scott declared a state of emergency. Agriculture Commissioner Adam Putnam called it the most active season since 2011, with road closures across the State.

The Senate passed a clean bill (SB 7022) establishing the funding requirements for the Florida Retirement System. The House passed their bill (HB 5007) with several provisions to prevent several groups from entering the "pension plan", and changing the default plan selection to the "investment plan" to steer public employees away from the FRS Pension Plan.

The House, in a divided vote on Thursday via a procedural move, laid HB 5007 on the table during 3rd reading and picked up the Senate bill (SB 7022). Representative Caldwell amended SB 7022 with a "strike all amendment" to change the default to the defined contribution plan and limit access to the pension benefits for judges, new school board employees, and elected officials.

The House voted 74-41 for the amended SB 7022, which sent it back to the Senate in messages. The basic change would place newly hired public employees in an investment plan, a 401(k) styled-plan, if they fail to make a choice within six months of starting their jobs. Currently, employees are placed in the traditional pension plan if they don't make a choice.

There were several questions and debate about the need for the legislation that could destabilize the current pension plan. Many believe that the FRS, with an approximate \$150 billion value, is a model system countrywide. However, House Republicans have pushed for changes to the Florida Retirement System for several years, while the Senate has refused to agree. These substantial changes have not been discussed during committee meetings in the Senate.

The House and Senate have staked out their positions as they head for budget negotiations in conference. The House took up the Senate's budget bills Thursday, attached amendments, and sent

them back to the Senate. However, when the Senate passed its bills Wednesday, they included a stipulation that the House pass the bills without amending them or agree to enter into negotiations over the differences.

Now that the two chambers, having passed different versions of the budget bills, the House and Senate will negotiate over the line items and language until they agree to the exact same budget. Once they have agreed to the amendments, the Conference Report will be sent to the Governor for vetoes and his signature.

As reported last week, the Florida legislature is working to find a compromise to stabilize and/or reduce the increasing workers' compensation rates. The Senate and House have different bills taking a big step forward to help ensure injured workers can get the care they need, while protecting businesses with insurance costs.

The final plan should create a balanced workers' comp system that benefits both employers and employees keeping in mind what the Supreme Court has said, striking down the current law as unconstitutional.

These bills, both the House and Senate, should address a fair balance between workers and employers and ensure the injured worker's access to courts. The goal for everyone involved should be to get the injured worker well and back on the job as quickly as possible.

This can be accomplished by understanding the thought process of the Court and ensuring that the "Grand Bargain" remains in place. Under this Grand Bargain, the employer agrees to provide workers' comp and, in return, the employee does not file a lawsuit against their employer.

We have been tracking the workers' compensation bills and at the same time pushing for cancer presumption legislation for many of the same reasons. While nothing is over until it's over, the cancer legislation seemed to be stalled in the committee process.

With the help of two very good and extremely powerful friends, the Senate's workers' compensation bill (SB 1582) moved out of the Appropriations Committee Thursday with a short but very good amendment. The amendment, by Anitere Flores and Jack Latvala, declaring two forms of cancer to be an "occupational disease" for Florida's firefighters, specifically naming multiple myeloma and non-Hodgkin lymphoma.

While Senator Brandes objected to the amendment, the bill passed as amended by a unanimous vote. This amendment effectively moved the cancer issues forward, while the Senate bill remains stuck in the Community Affairs Committee.

Senator Latvala said, "Studies have been done over and over and over, and the studies show that firefighters are 50 percent more likely to develop multiple myeloma and non-Hodgkin lymphoma than regular folks. And that's enough for me."

Please take a moment to email or call Senator Flores at 850-487-5039 or flores.anitere@flsenate.gov and Senator Latvala at 850-487-5016 or latvala.jack@flsenate.gov to thank them for their unwavering support.

Amendment 3 passed in the General Election on November 8, 2016, providing the authority to exempt certain individuals' ad valorem taxes. HB 455 and SB 764 provide the statutory implementation language for an exemption from ad valorem taxation for first responders who are totally and permanently disabled as a result of injuries sustained in the line of duty, and extend the exemption to

their surviving spouses. Specifically, the bill provides for the documentation from the employer and the physician to be provided to the Taxing Authority. This issue has received strong support.

Monday evening, the Annual Award Service was held on the 22nd floor of the Capitol recognizing the 2016 recipients. Following are the winners: Keith Tyson, with Miami-Dade Fire Rescue Department and the Vice President of Education Research and Outreach for Florida Cancer Support Network, was awarded Professional Firefighter of the Year; Ryan Gallik, with St. Cloud Fire Rescue, was awarded Career Firefighter of the Year & Fire Service Instructor of the Year; James "David" Dietz, with the Florida Forest Service Chipola Forestry Center, was awarded Forestry Firefighter of the Year; Chief Darrel Donatto, with Palm Beach County Fire Rescue, was awarded Fire Chief of the Year; Jackie de la Osa, with the North Collier Fire Control & Rescue District, was awarded Fire Inspector of the Year; Ted Ross, with Tice Fire & Rescue, was awarded Florida Fire Marshal of the year; Brock Dietz, with the Florida State Fire Marshal's Office, Tallahassee Field Office, was awarded the Fire Investigator of the Year; Earl Gray, with the Highland Lakes Fire Department, was awarded Volunteer Firefighter of the Year; Robert Lemons, with the Boca Raton Fire Rescue Services, was awarded Fire and Life Safety Public Educator of the Year; and Fire Academy of the South at the Florida State College at Jacksonville, was awarded the Training Center of the Year.

During the awards ceremony, CFO Jeff Atwater received several awards for his dedication and service in recognition of his resignation after the Legislative Session concludes. Jeff Atwater also received several recognitions for his service from the other Cabinet members. We wish Jeff Atwater the best in his next endeavor, and will truly miss his open door and enthusiasm for the fire service, and an untiring effort to improve our safety and health.

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. We will keep all our firefighters and their families in our thoughts and prayers; please stay safe while you battle these difficult wild fires.

RETIREMENT

[HB 603 Relating to Publicly Funded Defined Benefit Retirement Plans \(Fischer\)](#)

[Companion Bill: SB 632 \(Brandes\)](#)

FPF Position: Oppose

4/14/2017 HOUSE On Committee agenda - Appropriations Committee, 04/18/17, 9:00 am, 212 K.

[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

4/12/2017 HOUSE Read Second Time; Amendment Failed (967965); Placed on Third Reading, 04/13/17.

4/13/2017 HOUSE Read Third Time; Substituted for SB 7022; Laid on Table, Refer to SB 7022.

[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

4/12/2017 SENATE Read Second Time; Read Third Time; Passed (Vote: 39 Yeas / 0 Nays); The Senate requests that the House pass the bill as passed by the Senate or agree to include the bill in the Budget Conference; Immediately certified. 4/12/2017 HOUSE In Messages. 4/12/2017 HOUSE Received; Referred to Calendar. 4/13/2017 HOUSE Substituted for HB 5007; Read Second Time; Amendment Adopted (777087); Read Third Time; Passed (Vote: 74 Yeas / 41 Nays); Immediately certified; Passed the Senate bill as amended by the House and we accede to conference. 4/14/2017 SENATE In returning messages.

EMS ISSUES

HB 229 Relating to Programs for Impaired Health Care Practitioners (Byrd)

Companion Bill: SB 876 (Young)

FPF Position: Watch

4/13/2017 HOUSE Placed on Special Order Calendar, 04/18/17.

SB 588 Relating to Drug Overdoses (Passidomo)

Companion Bill: HB 249 (Rommel)

FPF Position: Watch

4/12/2017 SENATE On Committee agenda - Criminal Justice, 04/17/17, 1:30 pm, 37 S.

SB 876 Relating to Programs For Impaired Health Care Practitioners (Young)

Companion Bill: HB 229 (Byrd)

FPF Position: Watch

4/13/2017 SENATE On Committee agenda - Appropriations Subcommittee on Health and Human Services, 04/18/17, 4:00 pm, 401 S.

GOVERNMENTAL OPERATIONS

SB 168 Relating to Career Development for Officers and Firefighters (J. Latvala)

Companion Bill: HB 247 (Payne)

FPF Position: Support

4/10/2017 SENATE On Committee agenda - Appropriations Subcommittee on General Government, 04/13/17, 2:30 pm, 110 S. 4/13/2017 SENATE Favorable by Appropriations Subcommittee on General Government; 9 Yeas, 0 Nays. 4/14/2017 SENATE Now in Appropriations.

SB 278 Relating to Local Tax Referenda (Steube)

Companion Bill: HB 139 (Ingoglia)

FPF Position: Watch

4/12/2017 SENATE On Committee agenda - Community Affairs, 04/17/17, 4:00 pm, 301 S.

HB 455 Relating to Tax Exemptions for First Responders and Surviving Spouses (Metz)

Companion Bill: SB 764 (Baxley)

FPF Position: Support

4/14/2017 HOUSE On Committee agenda - Appropriations Committee, 04/18/17, 9:00 am, 212 K.

SB 764 Relating to Tax Exemptions for First Responders and Surviving Spouses (Baxley)

Companion Bill: HB 455 (Metz)

FPF Position: Support

4/10/2017 SENATE On Committee agenda - Appropriations Subcommittee on Finance and Tax, 04/13/17, 1:00 pm, 401 S. 4/12/2017 Bill to be Discussed During the Office of EDR's Revenue Estimating Impact Conference,

04/14/17, 9:45 am, 117 K (No Votes Will Be Taken). 4/13/2017 SENATE Favorable with CS by Appropriations Subcommittee on Finance and Tax; 5 Yeas, 0 Nays.

STATE EMPLOYEES

SB 1020 Relating to Collective Bargaining Impasses (Powell)

FPF Position: Watch

4/13/2017 HOUSE Referred to Calendar. 4/13/2017 HOUSE Placed on Special Order Calendar, 04/18/17.

WORKERS COMPENSATION

SB 1582 Relating to Workers' Compensation Insurance (Bradley)

Companion Bill: HB 7085 (Insurance & Banking Subcommittee)

FPF Position: Watch

4/10/2017 SENATE On Committee agenda - Appropriations, 04/13/17, 9:30 am, 412 K. 4/13/2017 SENATE Favorable with CS by Appropriations; 16 Yeas, 0 Nays. 4/14/2017 SENATE Committee Substitute Text (C1) Filed. 4/14/2017 SENATE Now in Rules. 4/14/2017 SENATE On Committee agenda - Rules, 04/19/17, 4:00 pm, 110 S.

HB 7085 Relating to Workers' Compensation (Insurance & Banking Subcommittee)

Companion Bill: SB 1582 (Bradley)

FPF Position: Watch

4/11/2017 HOUSE Committee Substitute Text (C1) Filed. 4/12/2017 HOUSE Placed on Calendar, on 2nd reading. 4/13/2017 HOUSE Placed on Special Order Calendar, 04/18/17.

MISCELLANEOUS

HB 653 Relating to Community Associations (Moraitis)

Companion Bill: SB 744 (Passidomo)

FPF Position: Watch

4/13/2017 HOUSE On Committee agenda - Government Operations & Technology Appropriations Subcommittee, 04/17/17, 2:00 pm, 17 H.

SB 744 Relating to Community Associations (Passidomo)

Companion Bill: HB 653 (Moraitis)

FPF Position: Watch

4/14/2017 SENATE On Committee agenda - Judiciary, 04/19/17, 1:30 pm, 110 S.