



A Legislative Brief Of The 2011 Legislative Session

Listed below are the issues and brief synopsis of their effects. A more detailed play by play report will be given at the June Conference and any specific questions regarding these issues can be sent to Lisa Henning at 850-766-8808 or foplegislative@aol.com.

We entered this session with the Governor and Republican Leadership of the House and Senate demanding changes to your pensions and your ability to be politically active. We ended the session having blocked more than a few union busting bills and avoidance of a complete decimation of the earned pensions.

This was a very bitter and ugly session, with enemies found and new friends coming together in an alliance that worked and coordinated like a well oiled machine. Make no mistake we had a huge participation from our members and we can be proud of the work that was accomplished. Members sacrificed not just days but weeks to come and work the legislative session, and it is inspiring to know that the thin blue line is alive and well.

The Bills We Worked

The Top Priority Issues:

HB 303 by Representative Fred Costello: This issue was the first bill on local government pensions to arrive on the scene and though we went and worked with the bill sponsor, which led to his withdrawal of the bill, he later worked diligently against us on the committee bill, even going and testifying at a committee that he did not sit on. This bill would have destroyed the local pensions that are presently in place and would have given the cities complete control of all premium tax dollars. **Failed**

HB 825 by Representative Ritch Workman: This bill was a single stand alone bill that would have done away with DROP. This bill was assigned to committees but never heard. **Failed**

SB 830 by Senator John Thrasher: Known by several different names “Workers Gag Bill” and “Paycheck Protection”, this is the bill that would have done away with payroll deduction of dues and more importantly would have denied any dues (payroll deducted or not) to be used directly or indirectly for any political activities. There were statements that the legislature wanted to get out of the dues collection business but since there were over 360 payroll deduction in state payroll alone, it became evident that the bill was more about limiting the voice of the union members than it was about payroll deduction. This bill was backed by Republican Leadership, The Governor,

former Governor Jeb Bush, The Tea Party, The Florida Chamber Of Commerce, The Florida Sheriffs Association, and Associated Industries Of Florida. This battle was ugly, but in the end the Coalition Of Labor Unions prevailed with the guidance and fierce fighting of the Fabulous 24 of the Florida Senate. This group led by Jack Latvala and Greg Evers, managed to keep a coalition of Republican and Democratic Senators focused and they never wavered in their support of public employee rights. The bill died in the Senate and we will forever owe the Republican legislators that stuck out their necks , risking all to protect us. And of course the Democrats who stuck by us. Please note that up until the last hour of session the Governor had his Lt. Governor working the floor of the senate threatening members regarding the union dues issue. **Failed**

House Bill 1021 by Representative Chris Dorworth: This was the companion bill of senate bill 830 and though it passed the house it died in Senate Messages. The House Democrats fought a hard battle trying to protect us, but leadership strong armed all their Republican members into voting for the bill. **Failed**

House Bill 1023 by Representative Plakon: This bill was a recertification requirement bill, which would have financially devastated the lodges, requiring annual membership sign up. Thomas Grigsby worked very hard on blocking this bill, and was very successful in keeping this issue quashed. **Failed**

House Bill 1025 by Representative Broeder: This bill was the decertification bill and would have caused problems if membership of a unit fell below 50%. It would have automatically decertified the bargaining unit. We managed to block this bill as well. **Failed**

HB 1031 by Representative Frishe: This bill is no newcomer, we have been fighting the Sheriffs as a legislative body issue for four years. With the help of Representative Patronis and Thomas Grigsby we were successful in blocking the bill from being heard in House Governmental Operations. **Failed**

SB 1098 by Senator Hays: This was the companion bill to HB 1031 and was the Sheriffs Legislative Body Bill. This bill was heard in it's first committee of reference, but thanks to Senator Anitere Flores and Brother Armando Aguilar the bill was blocked from being heard in the Senate Judiciary Committee. **Failed**

SB 1128 by Senator Ring: This was the local pension bill, that was testified on, amended, and debated for hours . We worked arm and arm with the FPPF (Firefighters) on this issue and the though most of our coalition partners were not effected by this issue, they worked against the issue as well. This bill started out devastating the local pension plans and would have allowed the cities unlimited power over the pensions. Senator Ring worked with all of us, and came to compromise that later was sent to conference. It is important that we note some of the people who dedicated a lot of time and energy to defeating this bill, Thomas Grigsby worked with Representative Patronis, who delayed doing a local pension bill until forced in his last meeting of the session by House Leadership. Thomas Grigsby worked with Representative Patronis daily to make certain that staff understood our position and what the most important things to focus on were. Attorney Bob Klausner walked us thru each rewrite of the bill, making certain that we did not over look and "tricks" from the Florida League Of Cities. Miami Beach police and fire hired Bill Helmich to work the local pension bill and he made a determined effort to save the three hundred hours of overtime. Rep. Patronis and McKeel kept their door open and allowed a free flow of information and in the end came up with what is considered a fair bill. Representative Clemens, Taylor and Williams fought for us every step of the way and deserve a thank you from us. Senator Jeremy Ring held fast to protecting the use of premium tax dollars and deserves a strong thanks for all of his efforts. : From conference the following issues came out:

No change to premium tax dollars use for enhancement of pension benefits

Cities may not lower their contribution during the good years any longer.

300 hr cap on overtime annually for the AFC

The pension board language was changed to our suggested language which protected the ratio and autonomy of pension boards.

Upon agreement of both parties the contribution of the employee may be increased without a new benefit.

SB 1160 by Senator Gaetz: This bill would have not only done away with DROP but would have made it impossible for someone to come back and draw both a retirement and pay check. This bill was blocked and not heard. **Failed**

HB 1405 By Representative Ritch Workman: This was the FRS Gutting Benefits bill, it would have several different bill numbers by the end of session but ended up being budget conference/conforming bill 2100. Representative Workman, Mayfield, and O'Toole should get specific attention for increasing the age for special risk retirement. Their reasoning is that 60 is the new 40, and most of the officers are working an extra five years in drop anyway. Special thanks should go to Representative Ana Rivas Logan for attempting to save the COLA. If the legislator had a "D" in front of their name, they fought long and hard for you. If they had an "R" in front of their name, they either played follow the leader or debating and fought against you. (This is of course in the House only)

SB 2100 – FRS Conforming Budget Bill- This bill changed FRS and listed below are the changes that were made. I want to emphasize that this bill came a long way from what was originally intended and that though salary and pension only makes up 3% of the budget, over 1.1 billion dollars that were used to fill the 4 billion budget deficit was taken from the pensions. This was never about fixing a broken system, it was about balancing the budget on the benefits of public employees. Though we won many battles on this issue, below is a list of what the current changes are. The three percent that the employees will be paying does not go into the pension fund, it goes to reduce the employers contribution to FRS. For special risk the employer is paying 11.99% lower than during 2010, so please make note of that savings when going into contract negotiations.

- 1) For all new hires after July 1, 2011 normal retirement age will increase by 5 years.
- 2) All employees will pay 3% contribution to their retirement as of July 1, 2011.
- 3) A Freeze on earning a COLA from July 1, 2011 till 2016.
- 4) All new hires will have their AFC calculated with their high 8 instead of 5 years.
- 5) DROP interest rate after July 1, 2011 will be 1.3 instead of 6.5 .
- 6) All new hires will reach vesting in 8 years instead of 6.

We kept the Defined Benefit Plan, Overtime, Health Insurance Subsidy, contribution is not 5%, COLA is only frozen and DROP was simply reduced to 1.3%.

Good Legislation That We Helped Pass

HB 3/ SB 484 by Representative Nehr and Senator Jack Latvala: This is the Blue Alert bill which is basically that same thing as an amber alert, but affects the assault and/or death of a law enforcement officer. This was also placed on the list of priorities for National and Florida will now help lead the way. This bill passed.

HB 411/ SB 416 by Representative Burgin and Senator Bogdanoff: This bill is simply a public records exemption for video or pictures of the depiction of the killing of another human being. Law Enforcement and the courts will still have access, they just will not have to turn the video or pictures over to the public. This bill was instituted because the press was demanding the video of two police officers killed in the line duty in Tampa. The bill passed.

HB 95 / SB 236 by Representative Bembry and Senator Hays: This bill will allow the parents of fallen veterans to have annual passes to state parks free of charge, and Senator Hays inserted the survivors of fallen law enforcement officers and firefighters into the legislation. The House tried to insist that the language be stripped from the bill, but Senator Hays failed to concur with stripping the language for police and fire out (on the day of memorial) and sent it back to the House of Representatives and the house concurred and sent the bill to the Governor. The FOP President James Preston has agreed to make and issue these passes to the family of the fallen, making it possible for the bill to have a lower fiscal impact and allowed to pass.

Seeing the insurmountable task that we faced this session the legislative committee had the insight to allocate funds for us to fight the battle with outside help. We owe a special thanks to Thomas Grigsby and Pregeiz & Weems, Inc. These lobbyists worked hard on the issues and that made them targets for very little money and a determination to protect the law enforcement officers of this state. They were an amazing asset/tool and we commend them for all of their hard work.

Last but probably the most crucial is a huge thank you to the United Labor Coalition, which is made up of over 49 unions (big and small) that banded together and fought all pension and anti-union issues. Thousands of hours and dollars were spent by this coalition, and it gave us an advantage of large mass numbers and constant media attention. The organizing leader was the AFL/CIO (Mike Williams, Rich Templin and Josh Anijar) This Coalition was made up of AFL/CIO, FOP, FPFF, FEA, ATU, AFSCME and many others. Our numbers and commitment were strong, and we look forward to continuing our participation in the Coalition, as we still have another three years under this Governor.