



State Affairs Committee

**Thursday, April 21, 2011
11:00 AM
Morris Hall (17 HOB)**

Action Packet

COMMITTEE MEETING REPORT

State Affairs Committee

4/21/2011 11:00:00AM

Location: Morris Hall (17 HOB)

Summary:

State Affairs Committee

Thursday April 21, 2011 11:00 am

CS/HB 43 Favorable With Committee Substitute Yeas: 12 Nays: 3

CS/HB 441 Favorable Yeas: 14 Nays: 0

HB 7241 Favorable With Committee Substitute Yeas: 12 Nays: 5

Committee meeting was reported out: Thursday, April 21, 2011 5:04:17PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/21/2011 11:00:00AM

Location: Morris Hall (17 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Seth McKeel (Chair)	X		
Leonard Bembry	X		
Rachel V. Burgin	X		
Matthew Caldwell	X		
Jeff Clemens	X		
Steve Crisafulli	X		
Clay Ford	X		
Luis Garcia, Jr.	X		
Paige Kreegel			X
Rick Kriseman	X		
Debbie Mayfield	X		
Jimmy Patronis	X		
W. Keith Perry	X		
Scott Plakon	X		
Elizabeth Porter	X		
Dwayne Taylor	X		
Alan Williams	X		
Trudi Williams	X		
Totals:	17	0	1

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COMMITTEE MEETING REPORT

State Affairs Committee

4/21/2011 11:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 43 : Public Employee Compensation

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bemby			X		
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens		X			
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel				X	
Rick Kriseman		X			
Debbie Mayfield	X				
Jimmy Patronis			X		
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams		X			
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 12		Total Nays: 3			

Appearances:

Public Officers

Kraig Conn (Lobbyist) - Proponent

Florida League of Cities

301 S. Bronough

Tallahassee FL 32301

Phone: 850-222-9684

Public Officers

David Shepp (Lobbyist) - Waive In Support

City of Lakeland

P.O. Box 3739

Lakeland FL 33802

Phone: (863)581-4250

Committee meeting was reported out: Thursday, April 21, 2011 5:04:17PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 43 (2011)

Amendment No. /

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Burgin offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 58-76 and insert:

6 (4) (a) On or after July 1, 2011, a unit of government that
7 enters into a contract or employment agreement, or renewal or
8 renegotiation of an existing contract or employment agreement,
9 that contains a provision for severance pay with an officer,
10 agent, employee, or contractor must include the following
11 provisions in the contract:

12 1. A requirement that severance pay provided may not
13 exceed an amount greater than 20 weeks of compensation, unless
14 the unit of government approves the contract or employment
15 agreement, or renewal or renegotiation of a contract or
16 employment agreement, by a two-thirds vote of the membership of
17 the approving body of the unit of government.

18 2. A prohibition of provision of severance pay when the

Amendment No.

19 officer, agent, employee, or contractor has been fired for
20 misconduct, as defined in s. 443.036(29), by the unit of
21 government.

22 (b) Notwithstanding paragraph (a), on or after July 1,
23 2011, an officer, agent, employee, or contractor may receive
24 severance pay if:

25 1. The severance pay is paid from wholly private funds,
26 the payment and receipt of which do not otherwise violate part
27 III of chapter 112;

28 2. The severance pay is administered under part II of
29 chapter 112 on behalf of an agency outside this state and would
30 be permitted under that agency's personnel system.

31

32

33

T I T L E A M E N D M E N T

34

Remove lines 6-7 and insert:

35

36 paying bonuses; permitting provisions in contracts that provide
37 for severance pay; providing requirements for such contracts;
38 allowing for severance pay

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION _____ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: State Affairs Committee
2 Representative Smith offered the following:

Amendment

Remove lines 86-89 and insert:

administrative leave;

7 2. Early retirement under provisions established in an
8 actuarially funded pension plan subject to part VII of chapter
9 112; or

10 3. Any subsidy for the cost of a group insurance plan
11 available to an employee upon normal or disability retirement
12 that is by policy available to all employees of the unit of
13 government pursuant to the unit's health insurance plan. This
14 subparagraph shall not be construed to limit the ability of a
15 unit of government to reduce or eliminate such subsidies.

Amendment No. **3**

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)
 ADOPTED AS AMENDED _____ (Y/N)
 ADOPTED W/O OBJECTION _____ (Y/N)
 FAILED TO ADOPT _____ (Y/N)
 WITHDRAWN _____ (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Smith offered the following:

Amendment (with title amendment)

Remove line 90 and insert:

6 (5) Any agreement or contract, executed on or after July
 7 1, 2011, which involves extra compensation

9 -----
 10 **T I T L E A M E N D M E N T**

Remove lines 9-10 and insert:

11 "severance pay"; prohibiting certain contract provisions that
 12 provide for extra compensation to limit the ability to
 13

COMMITTEE MEETING REPORT

State Affairs Committee

4/21/2011 11:00:00AM

Location: Morris Hall (17 HOB)

CS/HB 441 : Scrutinized Companies

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Leonard Bemby			X		
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens	X				
Steve Crisafulli			X		
Clay Ford	X				
Luis Garcia, Jr.	X				
Paige Kreegel				X	
Rick Kriseman	X				
Debbie Mayfield	X				
Jimmy Patronis			X		
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor	X				
Alan Williams	X				
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 14		Total Nays: 0			

Committee meeting was reported out: Thursday, April 21, 2011 5:04:17PM

COMMITTEE MEETING REPORT

State Affairs Committee

4/21/2011 11:00:00AM

Location: Morris Hall (17 HOB)

HB 7241 : Public Retirement Plans

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Leonard Bembry	X				
Rachel V. Burgin	X				
Matthew Caldwell	X				
Jeff Clemens		X			
Steve Crisafulli	X				
Clay Ford	X				
Luis Garcia, Jr.		X			
Paige Kreegel			X		
Rick Kriseman		X			
Debbie Mayfield	X				
Jimmy Patronis	X				
W. Keith Perry	X				
Scott Plakon	X				
Elizabeth Porter	X				
Dwayne Taylor		X			
Alan Williams		X			
Trudi Williams	X				
Seth McKeel (Chair)	X				
Total Yeas: 12		Total Nays: 5			

Appearances:

Public Retirement Plans

Dale Milita (Lobbyist) - Waive In Support

City of Bartow
36910 3 Rd St.
Canal Point FL 33438
Phone: (561)718-2100

Public Retirement Plans

Jim Linn (Lobbyist) - Waive In Support

City of Oldsmar
2600 Centennial PL
Tallahassee FL 32308
Phone: (850)222-5702

Public Retirement Plans

Timothy Stanfield (Lobbyist) - Proponent

Florida League of Cities
215 S. Monroe St., Suite 701
Tallahassee FL 32302-1757
Phone: (850)577-0398

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COMMITTEE MEETING REPORT

State Affairs Committee

4/21/2011 11:00:00AM

Location: Morris Hall (17 HOB)

Public Retirement Plans

Harley Strickland, Mayor - Proponent

City of Orange City

315 W. University Ave.

Orange City FL 32763

Phone: 386-775-5403

Public Retirement Plans

Kraig Conn (Lobbyist) - Proponent

Florida League of Cities

301 S. Bronough Street, Suite 300

Tallahassee FL 32301

Phone: 850-222-9684

Public Retirement Plans

David Murrell, Director of Legislative Services (Lobbyist) - Opponent

Florida Police Benevolent Association

300 East Brevard Street

Tallahassee FL 32301

Phone: 850-222-3329

Public Retirement Plans

J. Keith Arnold (Lobbyist) - Waive In Support

City of Fort Myers

201 W. Park Ave., #100

Tallahassee FL 32301

Phone: (850)222-8188

Public Retirement Plans

Jeff McAdams, President, Gator Lodge 67, FOP - Opponent

FOP

3301 North Main Ter

Gainesville FL 32609

Phone: 352-376-1629

Public Retirement Plans

Lisa Henning, Director Legislative Affairs (Lobbyist) - Opponent

Treatmal Order of Police

242 Office Plaza Dr.

Tallahassee FL 32301

Phone: 850-766-8808

Public Retirement Plans

Ken Hammons, City Manager - Waive In Support

City of Panama City

106 Hillview Circle

Panama City FL 32405

Phone: 850-872-5010

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State Affairs Committee

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Location: Morris Hall (17 HOB)

Public Retirement Plans

Robert Suarez, President - Opponent

Florida Professional Firefighters/Miami

2980 NW South River Drive

Miami FL 33125

Phone: 305-984-3299

Public Retirement Plans

Rocco Salvatori, Firefighter - Opponent

Suncoast Professional Firefighters

1010 9th Ave. W

Bradenton FL 34205

Phone: 941-708-6233

Public Retirement Plans

Doug Bell (Lobbyist) - Proponent

South Dayton, Ormond Beach - Volusia County

215 S. Monroe St.

Tallahassee FL 32301

Phone: (850)222-3533

Public Retirement Plans

Jim Cooke, Deputy Treasurer Clerk - Proponent

City of Tallahassee

300 S. Adams St.

Tallahassee FL 32301

Phone: 850-891-8146

Public Retirement Plans

Ken Parker, City Manager - Waive In Support

City of Port Orange

1000 City Center Cr.

Port Orange FL 32129

Phone: 386-756-5290

Public Retirement Plans

Jack M. Schluckebier, City Manager - Waive In Support

City of Melbourne

900 E. Strawbridge

Melbourne FL

Phone: 321-608-7205

Public Retirement Plans

Bill Partington, Deputy Mayor - Proponent

City of Ormond Beach

22 S. Beach St.

Ormond Beach FL 32174

Phone: 386-871-8232

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COMMITTEE MEETING REPORT

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Location: Morris Hall (17 HOB)

Public Retirement Plans

Mike Anderson, Mayor - Proponent

Fort Walton Beach and Northwest Florida League of Cities

107 Miracle Strip Parkway SW

Fort Walton Beach FL 32548

Phone: 850-855-6683

Public Retirement Plans

Kimball Adams, Finance Director - Proponent

City of Largo

201 Highland Avenue

Largo FL 33770

Phone: 727-587-6747

Public Retirement Plans

Randall Henderson, Mayor - Proponent

City of Fort Myers

2200 Second St.

Ft. Myers FL 33902

Phone: 239-850-8333

Public Retirement Plans

Lee Garner, City Manager - Proponent

City and FLC & North West Florida League of Cities

P. O. Box 188

Chattahoochee FL 32324

Phone: 850-663-4475

Public Retirement Plans

John C. D'Amico, Councilman - Proponent

City of W. Melbourne

P. O. Box 120085

West Melbourne FL 32912

Phone: 321-726-9888

Public Retirement Plans

Forrest Banks, Councilman - Waive In Support

City of Fort Myers

1334 Jambalana Ln.

Fort Myers FL

Phone: 239-321-7005

Public Retirement Plans

David Romine, Chief of Police - Waive In Support

City of St. Pete Beach

200 - 76th Ave.

St. Pete Beach FL 33706

Phone: 727-363-9210

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Location: Morris Hall (17 HOB)

Public Retirement Plans

Kathy Till, Commissioner - Proponent
City of Apopka/Tri County League of Cities
P. O. Box 1229
Apopka FL 32704
Phone: 407-484-3597

Public Retirement Plans

Drinda Merritt, Commissioner - Proponent
Town of Inglis
135 Hwy 40 West
Inglis FL 34449
Phone: 352-447-2203

Public Retirement Plans

Annette H. Bates, City Counselorwoman - Waive In Support
City
327 African St.
Chattahoochee FL 32324
Phone: 850-663-4100

Public Retirement Plans

Richard Clapp, City Commissioner - Proponent
City of Sarasota, Manatee League of Cities
1565 First St. P. O. Box 1058
Sarasota FL 34236
Phone: 941-954-4115

Public Retirement Plans

John L. Fletcher, City Commissioner-Mayor ProTem - Proponent
Atlantic Beach
800 Seminole Road
Atlantic Beach FL 32233
Phone: 904-694-0315

Public Retirement Plans

Jim Hanson, City Manager - Information Only
City of Atlantic Beach
800 Seminole Rd.
Atlantic Beach FL 32233
Phone: 904-247-5806

Public Retirement Plans

Randy Knight, City Manager - Information Only
City of Winter Park
401 S. Park Avenue
Winter Park FL 32789
Phone: 407-599-3235

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Location: Morris Hall (17 HOB)

Public Retirement Plans

Jim Hathaway, Vice Mayor - Proponent

City of New Smyrna Beach

210 Sams Ave.

New Smyrna Beach FL 32168

Phone: 386-689-4222

Public Retirement Plans

Jim Catron, Mayor/Commissioner - Proponent

City of Madison

225 NE Bevar Loop

Madison FL 32340

Phone: 850-973-5081

Public Retirement Plans

George Neel, Mayor - Proponent

Zolfo Springs - Ridge League of Cities

P. O. Box 1403

Zolfo Springs FL 33890

Phone: 863-245-1137

Public Retirement Plans

Georgia Phillips, Councilwoman - Proponent

City of Rockledge

1600 Huntington Lane

Rockledge FL 32955

Phone: 321-626-3114

Public Retirement Plans

Jim Tolley (Lobbyist) - Opponent

Florida Professional Firefighters

345 West Madison St.

Tallahassee FL 32301

Phone: 850-224-7333

Public Retirement Plans

James Titcomb, Executive Director - Proponent

The Palm Beach County League of Cities

301 N. Olive Ave., Gov. Center

West Palm Beach FL 33401

Phone: 561-355-4484

Public Retirement Plans

Scott Morgan, City Manager - Proponent

City of West Melbourne

2240 Minton Rd

Melbourne, FL 32904

Phone: 321-837-7771

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State Affairs Committee

4/21/2011 11:00:00AM

Location: Morris Hall (17 HOB)

Public Retirement Plans

Doug Drymon, Deputy City Manager - Proponent

City of Leesburg

501 W. Meadow Street

Leesburg FL 34748

Phone: 352-728-9704

Public Retirement Plans

Bob Apgar, Mayor - Proponent

City of Deland

120 South Florida Avenue

Deland FL 32720

Phone: 386-626-7107

Public Retirement Plans

Tim Caddell, Govt. Relations Administrator - Proponent

City of Pinellas Park

5851 Park Blvd.

Pinellas Park FL 33781

Phone: 727-541-0721

Public Retirement Plans

Erin Daly - Waive In Support

Village of Tequesta

110 E. college Ave.

Tallahassee FL 32301

Phone: 850-681-1065

Public Retirement Plans

Tim McCausland, City Attorney - Waive In Support

City of Lakeland

228 S. Mass Ave.

Lakeland FL

Phone: 863-834-6010

Committee meeting was reported out: Thursday, April 21, 2011 5:04:17PM

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative(s) Patronis and Mayfield offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:

6 Section 1. Subsection (3) of section 175.032, Florida
 7 Statutes, is amended to read:

8 175.032 Definitions.—For any municipality, special fire
 9 control district, chapter plan, local law municipality, local
 10 law special fire control district, or local law plan under this
 11 chapter, the following words and phrases have the following
 12 meanings:

13 (3) "Compensation" or "salary" means, for noncollectively
 14 bargained service earned before July 1, 2011, or for service
 15 earned under collective bargaining agreements in place before
 16 July 1, 2011, the fixed monthly remuneration paid a firefighter.
 17 ~~If ; where, as in the case of a volunteer firefighter,~~
 18 remuneration is based on actual services rendered, as in the
 19 case of a volunteer firefighter, the term means the total cash

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7241 (2011)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: State Affairs Committee

2 Representative(s) ~~Patronis~~ offered the following:

3 *Taylor*

4 **Amendment to Amendment (Strike-All Amendment) by**
5 **Representatives Patronis and Mayfield**

6
7 Between lines 285 and 286 and between lines 553 and 554, insert:

8
9 (e) Each plan sponsor must establish a defined
10 contribution supplemental plan by October 1, 2011. However, the
11 plan sponsor of any plan established by special act of the
12 Legislature has until July 1, 2012, to create a defined
13 contribution supplemental plan. The defined contribution
14 supplemental plan shall be funded as provided in paragraph (d),
15 subject to the provisos of any collective bargaining agreement
16 in effect on July 1, 2011.