

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

1
2
3
4
5
6
7
8
9

10

11 The Committee on Governmental Operations offered the
12 following:

13

14 **Amendment**

15 On page 8, line 6, through page 16, line 18,
16 remove from the bill: all of said lines

17

18 and insert in lieu thereof:

19 be paid according to the following table, to wit:

- 20 (i) 75 % upon the first.....\$200.00 of compensation
- 21 70 % upon the next.....\$100.00 of compensation
- 22 65 % upon any additional amount; or-

23 (ii) If an employee retires on a normal pension
24 benefit after July 1, 1999, with 25 years of service or more,
25 the employee shall receive a benefit equal to 75 percent of
26 his or her final average monthly compensation.

27 (b) The pension of those firefighters ~~firemen~~ retired
28 hereunder for cause other than disability incurred in line of
29 duty, whose period of service shall be less than 25 years,
30 shall be computed under the table set out in subsection
31 (a)(i), and after said amount shall have been so determined,

Amendment No. ____ (for drafter's use only)

1 the sum payable shall be reduced to the percentage set
2 opposite the number of years of service shown in the following
3 schedule, to wit:

4	For 1 year of service or less.....	30%
5	For 2 years of service.....	36%
6	For 3 years of service.....	42%
7	For 4 years of service.....	48%
8	For 5 years of service.....	54%
9	For 6 years of service.....	60%
10	For 7 years of service.....	64%
11	For 8 years of service.....	66%
12	For 9 years of service.....	68%
13	For 10 years of service.....	70%
14	For 11 years of service.....	72%
15	For 12 years of service.....	74%
16	For 13 years of service.....	76%
17	For 14 years of service.....	78%
18	For 15 years of service.....	80%
19	For 16 years of service.....	82%
20	For 17 years of service.....	84%
21	For 18 years of service.....	86%
22	For 19 years of service.....	88%
23	For 20 years of service.....	90%
24	For 21 years of service.....	92%
25	For 22 years of service.....	94%
26	For 23 years of service.....	96%
27	For 24 years of service.....	98%
28	For 25 years of service.....	100%

29 (c) The pension of those firefighters ~~firemen~~ retired
30 hereunder because of a disability or injuries received in line
31 of duty, whose period of service shall be less than 25 years,

Amendment No. ____ (for drafter's use only)

1 shall be computed under the table set out in subsection
2 (a)(i), and after said amount shall have been so determined,
3 the sum payable shall be reduced to the percentage set
4 opposite the number of years of service shown in the following
5 schedule, to wit:

6	For 1 year of service or less.....	60%
7	For 2 years of service.....	64%
8	For 3 years of service.....	68%
9	For 4 years of service.....	72%
10	For 5 years of service.....	76%
11	For 6 years of service.....	80%
12	For 7 years of service.....	82%
13	For 8 years of service.....	83%
14	For 9 years of service.....	84%
15	For 10 years of service.....	85%
16	For 11 years of service.....	86%
17	For 12 years of service.....	87%
18	For 13 years of service.....	88%
19	For 14 years of service.....	89%
20	For 15 years of service.....	90%
21	For 16 years of service.....	91%
22	For 17 years of service.....	92%
23	For 18 years of service.....	93%
24	For 19 years of service.....	94%
25	For 20 years of service.....	95%
26	For 21 years of service.....	96%
27	For 22 years of service.....	97%
28	For 23 years of service.....	98%
29	For 24 years of service.....	99%
30	For 25 years of service.....	100%

31 (d) Those firefighters ~~firemen~~ whose period of service

Amendment No. ____ (for drafter's use only)

1 before attaining the age of 60 years shall exceed 25 years and
2 who retire with a pension calculated under subsection (a)(i)
3 shall receive an increase of 1 percent in the amount of
4 pension for each additional year or major fraction thereof;
5 and in computing any period of service, a major fraction of a
6 year shall be counted as a whole year.

7 (e) Any ~~duly appointed and enrolled~~ firefighter who
8 upon the taking effect of this act, or hereafter, shall have
9 attained the age of 52 years and who retires with a pension
10 calculated under subsection (a) shall be, upon application to
11 the board of trustees, retired on a pension as in this section
12 is provided; and any such person who shall have served as a
13 ~~duly appointed and enrolled~~ firefighter for a period of 25
14 years, but who has not attained the age of 52 years, upon
15 application to the board of trustees shall be retired on a
16 pension as in this section provided except that the amount of
17 such pension shall be reduced in the ratio that the
18 applicant's age bears to 52 years. Any time spent in military
19 or naval service, voluntary or compulsory, or other forms of
20 national service in time of war, or within 1 year thereafter,
21 by any person theretofore employed by said city, shall be
22 deemed equivalent to a like period of actual service in the
23 employment of the city for the purpose of securing the
24 benefits of this act; and, further, any employee who shall be
25 laid off because of illness, reduction of force, or other
26 cause not of the employee's own doing and who shall elect not
27 to withdraw his or her contribution to the said retirement
28 fund, or to return the same if withdrawn, shall be entitled to
29 have the period of such service prior to said layoff added to
30 any subsequent service for the purpose of computing his or her
31 period of service.

Amendment No. ____ (for drafter's use only)

1 (f) Any person regularly employed by the City of
2 Pensacola as a ~~duly appointed and enrolled~~ firefighter, who
3 shall while so employed and in line of duty become totally and
4 permanently disabled to perform duties as a firefighter or who
5 shall become so disabled not in the line of duty, through no
6 intentional and self-inflicted injury, shall upon application
7 and the approval thereof by the board of trustees be entitled
8 to and shall receive a pension, to be determined in accordance
9 with the schedules above set out having regard to his or her
10 rate of pay and period of service irrespective of his or her
11 age.

12 (g) Any firefighter ~~employee~~ retired under the
13 provisions of this section, or any widow or widower entitled
14 to a pension under this chapter, shall be entitled to receive
15 not less than \$500 per month, irrespective of the term of
16 service, and of the results of the tables above set out. This
17 provision is applicable to all persons who are receiving
18 benefits from the Firefighters' ~~Firemen's~~ Relief and Pension
19 Fund prior to January 1, 1986. They shall receive this benefit
20 as of July 14, 1986.

21 Section 6. Chapter 74-576, Laws of Florida, as amended
22 by chapters 85-486 and 99-463, Laws of Florida, is renumbered
23 as section 6 of chapter 21483, Laws of Florida, 1941, and
24 amended to read:

25 Section 6.1. Increase in benefits due to consumer
26 price index increases.--

27 (a) A cost-of-living increase in benefits paid
28 pursuant to this act shall be given effective July 1, 1999,
29 and shall be paid annually thereafter. Each annual increase
30 shall have an effective date of July 1. All such increases
31 shall be equal to but no greater than the annual increase in

Amendment No. ____ (for drafter's use only)

1 the Consumer Price Index (U) issued by the United States
2 Department of Labor, provided that such increase shall in no
3 event be greater than 3 percent per year. The annual CPI (U)
4 period to be used for calculation of any increase shall end in
5 March of the year of the July 1 increase. The increase in the
6 CPI (U) shall be the change in the values from April 1 to
7 March 31. In the event the United States Department of Labor
8 ceases to issue a CPI (U), the board shall utilize a current
9 CPI index that is the functional equivalent.

10 ~~(b)Section 2.~~ After June 22, 1974, no person shall
11 transfer creditable service from another retirement system
12 into the Firefighters'~~Firemen's~~ Relief and Pension Fund.

13 ~~(c)Section 3.~~ The City of Pensacola, by ordinance,
14 may permit but not require members of the Firefighters'
15 ~~Firemen's~~ Relief and Pension Fund who are eligible, to
16 participate in a Deferred Retirement Option Plan ~~program~~
17 (DROP). The ordinance may include members who are eligible to
18 retire and to receive retirement benefits to remain in the
19 active service of the city until a contractually fixed
20 termination date and to have accumulated for the employee's
21 account from the date the contract is made all benefits which
22 the employee would be eligible to begin receiving on that date
23 and to have those accumulated benefits held for the benefit of
24 the employee until the employee separates from active service.
25 Such ordinance may provide for forfeiture of the accumulated
26 benefits or other penalty if the employee does not comply with
27 the contract. However, if the employee complies in all
28 respects with the terms of the contract, the employee shall
29 receive all retirement benefits the employee would be entitled
30 to under this act upon the employee's actual retirement from
31 the active service of the city.

Amendment No. ____ (for drafter's use only)

1 Section 7. Section 5.5 of chapter 21483, Laws of
2 Florida, 1941, as created by chapter 83-500, Laws of Florida,
3 is renumbered as section 7, and amended to read:

4 Section ~~7.5.5. Disability pensions.~~ Applications,
5 determinations, awards, and re-evaluations of disability
6 pensions for firefighters ~~firemen~~ shall be governed by the
7 following:

8 (a) Either a firefighter ~~fireman~~, or the employer on
9 behalf of a firefighter ~~fireman~~, must make application for
10 disability retirement complete with medical and other
11 evidentiary material as prescribed by the pension board.

12 (b) Upon receipt of an application for disability
13 retirement, the board of trustees shall make a determination
14 of disability, which determination shall be final. The board
15 of trustees shall employ the service of one or more
16 independent, third party agents, such as, but not limited to,
17 a health and disability claims adjusting firm, to evaluate the
18 case and to make a report containing recommended findings and
19 conclusion, which may be approved or disapproved, or modified
20 in the determination of the board of trustees.

21 (c) A firefighter will be considered totally and
22 permanently disabled if, in the opinion of the board of
23 trustees, he or she is wholly prevented from rendering useful
24 and efficient service as a firefighter; and a firefighter will
25 be considered totally and permanently disabled if, in the
26 opinion of the board of trustees, he or she is likely to
27 remain so disabled continuously and permanently from a cause
28 other than as specified in subsection (d).

29 (d) A firefighter will not be entitled to receive any
30 disability retirement income if the disability is a result of:

31 (i) Excessive and habitual use by the firefighter of

Amendment No. ____ (for drafter's use only)

1 drugs, intoxicants, or narcotics;
2 (ii) Injury or disease sustained by the firefighter
3 while willfully and illegally participating in fights, riots,
4 or civil insurrections or while committing a crime;
5 (iii) Injury or disease sustained by the firefighter
6 while serving in any armed forces; or
7 (iv) Injury or disease sustained by the firefighter
8 after his or her employment has terminated.
9 (e)(c) The board of trustees, through its third party
10 agents, shall periodically re-evaluate disability pensioners
11 to determine if the condition of total and permanent
12 disability persists. If the pensioner has recovered
13 sufficiently, as determined by the board so that the pensioner
14 is no longer totally and permanently disabled to perform his
15 or her duties as a firefighter fireman, and this determination
16 is made within 1 year of the effective date of the award of
17 the pension, said pensioner shall be reinstated to active
18 service in the same rank he or she occupied prior to the award
19 of his or her pension, and the period of such time which said
20 firefighter fireman is out of active service because of
21 disability shall be credited as part of the period of service
22 required for final retirement. If such determination is made
23 more than 1 year after the effective date of the award of the
24 pension, the pensioner shall be placed on an eligible list to
25 be reinstated to his or her position upon the first vacancy in
26 that position. At such time as a pensioner resumes active
27 service, or at such time as a pensioner refuses to accept
28 reinstatement to active service, the payment of pension
29 benefits shall cease. No firefighter fireman who has attained
30 the age of 52 55 years or who has been in active service as a
31 firefighter fireman for 25 years, and is drawing a pension,

Amendment No. ____ (for drafter's use only)

1 shall be restored to duty by any power or for any cause
2 whatsoever.

3 Section 8. Section 6 of chapter 21483, Laws of
4 Florida, 1941, as amended by chapter 22434, Laws of Florida,
5 1943, and chapters 57-1713 and 86-450, Laws of Florida, is
6 renumbered as section 8, and amended to read:

7 Section ~~8.6-~~ Automatic retirement.--Any firefighter
8 ~~employee or person,~~ subject to the provisions of this act
9 attaining the age of seventy (70) years shall be automatically
10 retired and shall cease to draw his or her compensation as
11 such employee, but shall become immediately entitled to the
12 pension or benefits provided hereby. In the event of doubt as
13 to the attainment of such age, the Civil Service Board shall
14 make inquiry and determine such fact after due notice to
15 interested parties; provided that the provisions of this
16 section shall not become operative until January 1, 1960, the
17 former law remaining in effect until such date.

18 Section 9. Section 9 of chapter 57-1713, Laws of
19 Florida, as amended by chapters 59-1723, 87-527, 89-444, and
20 89-474, Laws of Florida, is renumbered as section 10 of
21 chapter 21483, Laws of Florida, 1941, and amended to read:

22 Section ~~10.9-~~ Retirement after 10 years' service.--If
23 any firefighter of the City of Pensacola shall, after serving
24 as such for a period of 10 full years or becoming otherwise
25 eligible for retirement, cease to be such firefighter for any
26 cause and shall not make withdrawal of all his or her
27 contributions to the Firefighters' ~~Firefighters~~ Relief and
28 Pension ~~Trust~~ Fund as provided by law, or having withdrawn the
29 same, shall return it with 8 percent interest from the date of
30 such withdrawal, he or she shall be eligible to receive the
31 benefits equal to the amount provided in section ~~subsection~~

Amendment No. ____ (for drafter's use only)

1 5(a), multiplied by the number of years of service; for this
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31