

By Senator Fasano

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A bill to be entitled
An act relating to the Florida Retirement System; amending ss. 121.021, 121.0515, F.S.; providing membership in the Special Risk Class of the system for persons employed full time as ocean water rescue lifeguards who meet other specified qualifications; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (f) is added to subsection (15) of section 121.021, Florida Statutes, to read:

121.021 Definitions.--The following words and phrases as used in this chapter have the respective meanings set forth unless a different meaning is plainly required by the context:

(15)

(f) Effective October 1, 2006, the term "special risk member" includes any person who works full time as an ocean water rescue lifeguard and who works directly under the supervision of a fire rescue department, is supervised by a medical director, and is certified in compliance with s. 401.27 as an emergency medical technician or paramedic.

Section 2. Subsection (2) of section 121.0515, Florida Statutes, is amended to read:

121.0515 Special risk membership.--

(2) CRITERIA.--A member, to be designated as a special risk member, must meet the following criteria:

(a) The member must be employed as a law enforcement officer and be certified, or required to be certified, in compliance with s. 943.1395; however, sheriffs and elected

1 | police chiefs shall be excluded from meeting the certification
2 | requirements of this paragraph. In addition, the member's
3 | duties and responsibilities must include the pursuit,
4 | apprehension, and arrest of law violators or suspected law
5 | violators; or the member must be an active member of a bomb
6 | disposal unit whose primary responsibility is the location,
7 | handling, and disposal of explosive devices; or the member
8 | must be the supervisor or command officer of a member or
9 | members who have such responsibilities; provided, however,
10 | administrative support personnel, including, but not limited
11 | to, those whose primary duties and responsibilities are in
12 | accounting, purchasing, legal, and personnel, shall not be
13 | included;

14 | (b) The member must be employed as a firefighter and
15 | be certified, or required to be certified, in compliance with
16 | s. 633.35 and be employed solely within the fire department of
17 | a local government employer or an agency of state government
18 | with firefighting responsibilities. In addition, the member's
19 | duties and responsibilities must include on-the-scene fighting
20 | of fires, fire prevention, or firefighter training; direct
21 | supervision of firefighting units, fire prevention, or
22 | firefighter training; or aerial firefighting surveillance
23 | performed by fixed-wing aircraft pilots employed by the
24 | Division of Forestry of the Department of Agriculture and
25 | Consumer Services; or the member must be the supervisor or
26 | command officer of a member or members who have such
27 | responsibilities; provided, however, administrative support
28 | personnel, including, but not limited to, those whose primary
29 | duties and responsibilities are in accounting, purchasing,
30 | legal, and personnel, shall not be included and further
31 | provided that all periods of creditable service in fire

1 prevention or firefighter training, or as the supervisor or
2 command officer of a member or members who have such
3 responsibilities, and for which the employer paid the special
4 risk contribution rate, shall be included;

5 (c) The member must be employed as a correctional
6 officer and be certified, or required to be certified, in
7 compliance with s. 943.1395. In addition, the member's
8 primary duties and responsibilities must be the custody, and
9 physical restraint when necessary, of prisoners or inmates
10 within a prison, jail, or other criminal detention facility,
11 or while on work detail outside the facility, or while being
12 transported; or the member must be the supervisor or command
13 officer of a member or members who have such responsibilities;
14 provided, however, administrative support personnel,
15 including, but not limited to, those whose primary duties and
16 responsibilities are in accounting, purchasing, legal, and
17 personnel, shall not be included; however, wardens and
18 assistant wardens, as defined by rule, shall participate in
19 the Special Risk Class;

20 (d)1.a. The member must be employed by a licensed
21 Advance Life Support (ALS) or Basic Life Support (BLS)
22 employer as an emergency medical technician or a paramedic and
23 be certified in compliance with s. 401.27. In addition, the
24 member's primary duties and responsibilities must include
25 on-the-scene emergency medical care or direct supervision of
26 emergency medical technicians or paramedics, or the member
27 must be the supervisor or command officer of one or more
28 members who have such responsibility.

29 b. The member must work directly under the supervision
30 of a fire rescue department, be supervised by a medical
31 director, be certified in compliance with s. 401.27 as an

1 emergency medical technician or paramedic, and work full time
2 as an ocean water rescue lifeguard.

3 2. However, administrative support personnel,
4 including, but not limited to, those whose primary
5 responsibilities are in accounting, purchasing, legal, and
6 personnel, shall not be included;

7 (e) The member must be employed as a community-based
8 correctional probation officer and be certified, or required
9 to be certified, in compliance with s. 943.1395. In addition,
10 the member's primary duties and responsibilities must be the
11 supervised custody, surveillance, control, investigation, and
12 counseling of assigned inmates, probationers, parolees, or
13 community controllees within the community; or the member must
14 be the supervisor of a member or members who have such
15 responsibilities. Administrative support personnel, including,
16 but not limited to, those whose primary duties and
17 responsibilities are in accounting, purchasing, legal
18 services, and personnel management, shall not be included;
19 however, probation and parole circuit and deputy circuit
20 administrators shall participate in the Special Risk Class;

21 (f) The member must be employed in one of the
22 following classes and must spend at least 75 percent of his or
23 her time performing duties which involve contact with patients
24 or inmates in a correctional or forensic facility or
25 institution:

- 26 1. Dietitian (class codes 5203 and 5204);
- 27 2. Public health nutrition consultant (class code
28 5224);
- 29 3. Psychological specialist (class codes 5230 and
30 5231);
- 31 4. Psychologist (class code 5234);

- 1 5. Senior psychologist (class codes 5237 and 5238);
- 2 6. Regional mental health consultant (class code
- 3 5240);
- 4 7. Psychological Services Director--DCF (class code
- 5 5242);
- 6 8. Pharmacist (class codes 5245 and 5246);
- 7 9. Senior pharmacist (class codes 5248 and 5249);
- 8 10. Dentist (class code 5266);
- 9 11. Senior dentist (class code 5269);
- 10 12. Registered nurse (class codes 5290 and 5291);
- 11 13. Senior registered nurse (class codes 5292 and
- 12 5293);
- 13 14. Registered nurse specialist (class codes 5294 and
- 14 5295);
- 15 15. Clinical associate (class codes 5298 and 5299);
- 16 16. Advanced registered nurse practitioner (class
- 17 codes 5297 and 5300);
- 18 17. Advanced registered nurse practitioner specialist
- 19 (class codes 5304 and 5305);
- 20 18. Registered nurse supervisor (class codes 5306 and
- 21 5307);
- 22 19. Senior registered nurse supervisor (class codes
- 23 5308 and 5309);
- 24 20. Registered nursing consultant (class codes 5312
- 25 and 5313);
- 26 21. Quality management program supervisor (class code
- 27 5314);
- 28 22. Executive nursing director (class codes 5320 and
- 29 5321);
- 30 23. Speech and hearing therapist (class code 5406); or
- 31 24. Pharmacy manager (class code 5251);

1 (g) The member must be employed as a youth custody
2 officer and be certified, or required to be certified, in
3 compliance with s. 943.1395. In addition, the member's primary
4 duties and responsibilities must be the supervised custody,
5 surveillance, control, investigation, apprehension, arrest,
6 and counseling of assigned juveniles within the community; or

7 (h) The member must be employed by a law enforcement
8 agency or medical examiner's office in a forensic discipline
9 recognized by the International Association for Identification
10 and must qualify for active membership in the International
11 Association for Identification. The member's primary duties
12 and responsibilities must include the collection, examination,
13 preservation, documentation, preparation, or analysis of
14 physical evidence or testimony, or both, or the member must be
15 the direct supervisor, quality management supervisor, or
16 command officer of one or more individuals with such
17 responsibility. Administrative support personnel, including,
18 but not limited to, those whose primary responsibilities are
19 clerical or in accounting, purchasing, legal, and personnel,
20 shall not be included.

21 Section 3. This act shall take effect October 1, 2006.

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24 SENATE SUMMARY

25 Provides membership in the Special Risk Class of the
26 Florida Retirement System for persons who work full time
27 as ocean water rescue lifeguards, who are under the
28 supervision of a medical director in a fire rescue
29 department, and are certified as emergency medical
30 technicians or paramedics.
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