

1 A bill to be entitled
 2 An act relating to the Florida Retirement System; amending
 3 ss. 121.021 and 121.0515, F.S.; including in the Special
 4 Risk Class certain members employed as Federal Aviation
 5 Administration-licensed pilots authorized to provide
 6 mosquito control services; providing a definition;
 7 providing a declaration of important state interest;
 8 providing an effective date.

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

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

14 121.021 Definitions.--The following words and phrases as
 15 used in this chapter have the respective meanings set forth
 16 unless a different meaning is plainly required by the context:

17 (15)

18 (f) Effective October 1, 2006, the term "special risk
 19 member" includes any member employed as a Federal Aviation
 20 Administration-licensed pilot by a municipality, county, special
 21 district, or state agency authorized to provide mosquito control
 22 services whose duties include piloting for the purposes of
 23 mosquito control as set forth in s. 121.0515(2)(i).

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

26 121.0515 Special risk membership.--

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

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29 (a) The member must be employed as a law enforcement
30 officer and be certified, or required to be certified, in
31 compliance with s. 943.1395; however, sheriffs and elected
32 police chiefs shall be excluded from meeting the certification
33 requirements of this paragraph. In addition, the member's duties
34 and responsibilities must include the pursuit, apprehension, and
35 arrest of law violators or suspected law violators; or the
36 member must be an active member of a bomb disposal unit whose
37 primary responsibility is the location, handling, and disposal
38 of explosive devices; or the member must be the supervisor or
39 command officer of a member or members who have such
40 responsibilities; provided, however, administrative support
41 personnel, including, but not limited to, those whose primary
42 duties and responsibilities are in accounting, purchasing,
43 legal, and personnel, shall not be included;

44 (b) The member must be employed as a firefighter and be
45 certified, or required to be certified, in compliance with s.
46 633.35 and be employed solely within the fire department of a
47 local government employer or an agency of state government with
48 firefighting responsibilities. In addition, the member's duties
49 and responsibilities must include on-the-scene fighting of
50 fires, fire prevention, or firefighter training; direct
51 supervision of firefighting units, fire prevention, or
52 firefighter training; or aerial firefighting surveillance
53 performed by fixed-wing aircraft pilots employed by the Division
54 of Forestry of the Department of Agriculture and Consumer
55 Services; or the member must be the supervisor or command
56 officer of a member or members who have such responsibilities;

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57 provided, however, administrative support personnel, including,
58 but not limited to, those whose primary duties and
59 responsibilities are in accounting, purchasing, legal, and
60 personnel, shall not be included and further provided that all
61 periods of creditable service in fire prevention or firefighter
62 training, or as the supervisor or command officer of a member or
63 members who have such responsibilities, and for which the
64 employer paid the special risk contribution rate, shall be
65 included;

66 (c) The member must be employed as a correctional officer
67 and be certified, or required to be certified, in compliance
68 with s. 943.1395. In addition, the member's primary duties and
69 responsibilities must be the custody, and physical restraint
70 when necessary, of prisoners or inmates within a prison, jail,
71 or other criminal detention facility, or while on work detail
72 outside the facility, or while being transported; or the member
73 must be the supervisor or command officer of a member or members
74 who have such responsibilities; provided, however,
75 administrative support personnel, including, but not limited to,
76 those whose primary duties and responsibilities are in
77 accounting, purchasing, legal, and personnel, shall not be
78 included; however, wardens and assistant wardens, as defined by
79 rule, shall participate in the Special Risk Class;

80 (d) The member must be employed by a licensed Advance Life
81 Support (ALS) or Basic Life Support (BLS) employer as an
82 emergency medical technician or a paramedic and be certified in
83 compliance with s. 401.27. In addition, the member's primary
84 duties and responsibilities must include on-the-scene emergency

85 medical care or direct supervision of emergency medical
86 technicians or paramedics, or the member must be the supervisor
87 or command officer of one or more members who have such
88 responsibility. However, administrative support personnel,
89 including, but not limited to, those whose primary
90 responsibilities are in accounting, purchasing, legal, and
91 personnel, shall not be included;

92 (e) The member must be employed as a community-based
93 correctional probation officer and be certified, or required to
94 be certified, in compliance with s. 943.1395. In addition, the
95 member's primary duties and responsibilities must be the
96 supervised custody, surveillance, control, investigation, and
97 counseling of assigned inmates, probationers, parolees, or
98 community controllees within the community; or the member must
99 be the supervisor of a member or members who have such
100 responsibilities. Administrative support personnel, including,
101 but not limited to, those whose primary duties and
102 responsibilities are in accounting, purchasing, legal services,
103 and personnel management, shall not be included; however,
104 probation and parole circuit and deputy circuit administrators
105 shall participate in the Special Risk Class;

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

- 110 1. Dietitian (class codes 5203 and 5204);
- 111 2. Public health nutrition consultant (class code 5224);
- 112 3. Psychological specialist (class codes 5230 and 5231);

- 113 4. Psychologist (class code 5234);
- 114 5. Senior psychologist (class codes 5237 and 5238);
- 115 6. Regional mental health consultant (class code 5240);
- 116 7. Psychological Services Director--DCF (class code 5242);
- 117 8. Pharmacist (class codes 5245 and 5246);
- 118 9. Senior pharmacist (class codes 5248 and 5249);
- 119 10. Dentist (class code 5266);
- 120 11. Senior dentist (class code 5269);
- 121 12. Registered nurse (class codes 5290 and 5291);
- 122 13. Senior registered nurse (class codes 5292 and 5293);
- 123 14. Registered nurse specialist (class codes 5294 and
- 124 5295);
- 125 15. Clinical associate (class codes 5298 and 5299);
- 126 16. Advanced registered nurse practitioner (class codes
- 127 5297 and 5300);
- 128 17. Advanced registered nurse practitioner specialist
- 129 (class codes 5304 and 5305);
- 130 18. Registered nurse supervisor (class codes 5306 and
- 131 5307);
- 132 19. Senior registered nurse supervisor (class codes 5308
- 133 and 5309);
- 134 20. Registered nursing consultant (class codes 5312 and
- 135 5313);
- 136 21. Quality management program supervisor (class code
- 137 5314);
- 138 22. Executive nursing director (class codes 5320 and
- 139 5321);
- 140 23. Speech and hearing therapist (class code 5406); or

141 24. Pharmacy manager (class code 5251);
 142 (g) The member must be employed as a youth custody officer
 143 and be certified, or required to be certified, in compliance
 144 with s. 943.1395. In addition, the member's primary duties and
 145 responsibilities must be the supervised custody, surveillance,
 146 control, investigation, apprehension, arrest, and counseling of
 147 assigned juveniles within the community; ~~or~~

148 (h) The member must be employed by a law enforcement
 149 agency or medical examiner's office in a forensic discipline
 150 recognized by the International Association for Identification
 151 and must qualify for active membership in the International
 152 Association for Identification. The member's primary duties and
 153 responsibilities must include the collection, examination,
 154 preservation, documentation, preparation, or analysis of
 155 physical evidence or testimony, or both, or the member must be
 156 the direct supervisor, quality management supervisor, or command
 157 officer of one or more individuals with such responsibility.
 158 Administrative support personnel, including, but not limited to,
 159 those whose primary responsibilities are clerical or in
 160 accounting, purchasing, legal, and personnel, shall not be
 161 included; or-

162 (i) The member must be employed as a Federal Aviation
 163 Administration-licensed pilot by a municipality, county, special
 164 district, or state agency authorized to provide mosquito control
 165 services. The member's duties must include piloting aircraft for
 166 the purpose of mosquito control treatment. However,
 167 administrative support personnel, including, but not limited to,

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168 those whose primary responsibilities are in accounting,
169 purchasing, legal, and personnel, shall not be included.

170 Section 3. The Legislature finds that a proper and
171 legitimate state purpose is served when employees and retirees
172 of the state and its political subdivisions, and the dependents,
173 survivors, and beneficiaries of such employees and retirees, are
174 extended the basic protections afforded by governmental
175 retirement systems. These persons must be provided benefits that
176 are fair and adequate and that are managed, administered, and
177 funded in a sound actuarial manner, as required by Section 14,
178 Article X of the State Constitution and part VII of chapter 112,
179 Florida Statutes. Therefore, the Legislature hereby determines
180 and declares that this act fulfills an important state interest.

181 Section 4. This act shall take effect October 1, 2006.