

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 1089 City of Clearwater, Pinellas County

SPONSOR(S): Hooper

TIED BILLS: **IDEN./SIM. BILLS:** SB 2386

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Committee on Urban & Local Affairs	9 Y, 0 N	Fudge	Kruse
2) Government Efficiency & Accountability Council	13 Y, 0 N	Fudge	Cooper
3)			
4)			
5)			

SUMMARY ANALYSIS

The Pension Fund of the Fire Department of the City of Clearwater (Fund) has existed since 1939. Consequently, the special act contains some outdated terminology and gender references such as fireman and chairman. Also, the Fund has a problem finding participants to serve on the Board because it has been closed to new participants since July 1, 1963.

HB 1089 updates terminology and revises the membership of the Board to make it easier to fill vacancies.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

This bill does not appear to implicate any House Principles.

B. EFFECT OF PROPOSED CHANGES:

Current Situation

The Pension Fund of the Fire Department of the City of Clearwater (Fund) has existed since 1939.¹ Consequently, the special act contains some outdated terminology and gender references such as fireman and chairman. Also, the Fund has a problem finding participants to serve on the Board because it has been closed to new participants since July 1, 1963.

Effect of Proposed Changes

HB 1089 updates terminology such as secretaries and stenographers to staff assistants and revises gender references such as his to his or her, fireman to firefighter and chairman to chairperson. The bill also revises the membership of the Board such that if no member of the Fund is available, then a current firefighter of the fire department below the rank of chief who is willing to serve may be placed on the ballot. If no one is available to stand for election, or no one is available to participate in the voting, then members of the board will be appointed by the city council.

In addition, because of diminished activity in the Fund the bill amends the actuarial valuation requirement from annual to not more than three years.

C. SECTION DIRECTORY:

Section 1: Revises terminology; revises requirements for membership on the board; revises actuarial valuation from annual to not more than three years.

Section 2: Provides an effective date of upon becoming law.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 25, 2008.

WHERE? In the Gulf Coast Business Review, a weekly newspaper published at Clearwater in Pinellas County, Florida.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

¹ The Fire Pension Fund was created in 1939 by Chapter 19112 (1939), L.O.F. and was transferred into the current Fireman's Relief and Pension Fund by Chapter 30658 (1955), L.O.F.

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No
None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:
None.

B. RULE-MAKING AUTHORITY:
None.

C. DRAFTING ISSUES OR OTHER COMMENTS:
None.

D. STATEMENT OF THE SPONSOR

This plan and the employees covered by the plan was frozen in 1963 when the city of Clearwater formed a new pension plan for all city employees. Since that date in 1963, the eligible participants of the plan have been elected as members of the Board of the plan for two of the five positions. Now some 45 years later, eligible members with the ability to serve as an elected Board member are becoming difficult to find. This Bill addresses this hardship as well as updated language necessary for gender conforming correctness. This pension is fully funded and requires no additional funds from the City of Clearwater or any surviving participant.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES