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April 29, 2019

The Honorable Ron DeSantis
Governor, State of Florida
The Capitol
400 South Monroe Street
Tallahassee, FL 32399

Subject: Veto Request for CS/CS/SB 426 Firefighters

Dear Governor DeSantis:

On behalf of the 412 municipalities in the State of Florida (one half with a population of 5,800 or less), the Florida League of Cities requests that you veto CS/CS/SB 426. The bill entitles a firefighter who receives a diagnosis of cancer to a package of mandated benefits. In theory, it sounds like a worthwhile initiative, which is why it was met with great fanfare during legislative session. However, when you dig into the details, this is a significant unfunded mandate with widespread negative impact on property taxpayers. In addition, it will likely cripple the provision of volunteer firefighting services across the state.

The bill should be vetoed because it is grossly unresearched, and its unknown financial implications are disruptive if not disastrous to Florida taxpayers. As the number one employer of full-time firefighters in the state, municipalities have a long and successful history of negotiating local employment agreements through the existing constitutional framework for collective bargaining. This bill would override that process and, in many cases, would not be feasible to implement without raising local property taxes. Knowing this, we are reminded that numerous cities were recently decimated by Category 5 Hurricane Michael. In their current state, these cities don't have property to raise taxes on. How will northwest Florida municipalities even fund this sweeping state mandate?

It is not responsible to pass legislation that is unresearched and ill-defined. The Legislature fails to identify the extent or cost to cities and counties to provide these mandated benefits. The only fiscal analysis performed on the bill was the actuarial impact to the Florida Retirement System. No cost or actuarial impact was performed on the over 170 municipal firefighter retirement plans, on the reimbursement or \$25,000 payout benefit or on the statutory

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death benefit. The staff analyses on the bill clearly identify that fiscal impacts to local governments will occur, but again, they fail to quantify the fiscal impacts beyond stating they are “unknown at this time.” If for no other reason, the bill should be vetoed based upon its unknown, but significant, fiscal impact on cities (and counties).

Digging even deeper, numerous provisions within the bill are subject to varying interpretations, which will likely lead to many costly legal challenges as the provisions are applied to various factual circumstances.

Implementation is another major area of concern. The bill has an effective date of July 1, 2019, which is right in the middle of every cities’ fiscal year. Legislation impacting current local government budgets and millage levels must, as a matter of sound fiscal policy, have an effective date that corresponds with the next local government fiscal year. The bill should be vetoed because the enhanced benefits and corresponding costs are mandated to be provided, or incurred, mid-fiscal year.

Finally, this bill will have an unintended and likely catastrophic impact on the provision of volunteer firefighting services across the state. Many volunteer fire departments are made up of firefighters who are employed by surrounding fire departments, with these firefighters volunteering on their off-time. Under section 112.1816(2), a condition of receiving benefits is that the firefighter “has not been employed in any other position in the preceding 5 years which is proven to create a higher risk for any cancer.” The fundamental premise of the bill is that firefighters have a higher risk for cancer because of the very nature of fighting fires. It’s anticipated no employed firefighter will want to risk losing the benefits under the bill to serve as a volunteer firefighter.

Please contemplate these points when considering the Florida League of Cities’ request to veto CS/CS/SB 426. Thank you for your leadership and your time on this matter.

In the fight for Home Rule,

A large, stylized handwritten signature in black ink, appearing to read "Michael Sittig". The signature is written in a cursive, flowing style with a long, sweeping tail.

Michael Sittig
Executive Director

cc: Sen. Anitere Flores
Rep. Blaise Ingoglia