

CHAPTER 2000-390

House Bill No. 839

An act relating to the City of Jacksonville and the St. Johns River Power Park; amending chapter 80-513, Laws of Florida, as amended by chapter 90-439, Laws of Florida, to permit a limited number of former employees of JEA who go to work for the St. Johns River Power Park to have the option of staying in the 1937 Employees' Pension Fund of the City of Jacksonville or joining the St. Johns River Power Park retirement plan; permitting a limited number of former employees of the St. Johns River Power Park who go to work for JEA to have the option of staying in the St. Johns River Power Park retirement plan or joining the 1937 Employees' Pension Fund of the City of Jacksonville; providing an effective date.

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

Section 1. Paragraph (1) of section 12 of chapter 80-513, Laws of Florida, as amended by chapter 90-439, Laws of Florida, is amended to read:

Section 12. In order to enable JEA ~~the authority~~ to implement and accomplish any joint electric power project with respect to which JEA ~~the authority~~ has entered into an agreement under section 2(A) of this act, JEA ~~the authority~~ shall have the following powers, in addition to powers otherwise conferred:

(1)(a) Employees.—To employ personnel whose duties shall relate exclusively to any such joint electric power project. Such employees shall not be employees of the City of Jacksonville, or members of the Civil Service System of the City of Jacksonville, nor shall they participate in the pension fund of the city notwithstanding any provision of the Charter or Ordinance Code of the City of Jacksonville to the contrary except as provided in this section subsection. JEA ~~The authority~~ may fix and pay to such employees such compensation and provide to them such other employee rights and benefits as it shall determine. In addition, JEA ~~the authority~~ may allocate to the joint electric power project the services of any of its other employees, whether appointed or within the Civil Service System of the city, from time to time on a temporary basis in order to provide necessary support or assistance to the joint electric power project. Such temporary assignment of any civil service employee to a project shall not exceed 60 consecutive days in duration. In the event that an employee of JEA ~~the authority~~ who is a member of the classified civil service system of the city and is participating in the 1937 Employees' Pension Fund of the city should become a full-time employee of any such joint electric power project after the effective date of this act, then such employee shall no longer be a member of the city civil service system and shall relinquish all rights and privileges inuring to employees within said system and shall thereafter be entitled only to those benefits as shall be afforded other full-time employees of the joint electric power project, except as provided by this section.

(b) Pension participation.—An However, any employee who shall leave JEA employment the city civil service system in order to become an employee of such a project without break in service prior to January 1, 1990, may, at his or her option, continue as a member of the 1937 Employees' Pension Fund and upon continuation shall make the required employee contribution thereto and the matching contribution which had theretofore been paid into this fund by JEA the authority on behalf of such employee shall thereafter be assumed and paid by the project. No person who is receiving time service pension payments from any pension fund of the city may become an employee of a joint electric power project and continue to receive payments from the fund during such period of employment. However, should any such person whose pension benefits have been so terminated cease his or her employment with the joint electric power project, he or she shall immediately become qualified for and be entitled to receive those benefits he or she had previously been entitled to. Any person receiving a time service pension under the 1937 Employees' Pension Fund of the city who becomes an employee of St. Johns River Power Park may elect to join either the St. Johns River Power Park retirement plan or to rejoin the 1937 Employees' Pension Fund but the option to rejoin the 1937 Employees' Pension Fund shall terminate December 31, 1990, and thereafter all persons who become employed by St. Johns River Power Park may participate only in the St. Johns River Power Park retirement plan. Any employee who may elect to rejoin the 1937 Employees' Pension Fund shall not be eligible to participate in any St. Johns River Power Park retirement plan including social security. The St. Johns River Power Park shall make the required employer contribution into the fund for such employees in the same manner and amount as JEA the City of Jacksonville is required to do for JEA city employees who are members of the fund. Any active employee of the St. Johns River Power Park participating in the St. Johns River Power Park retirement plan who, without break in service, becomes an employee of JEA may, at his or her option, continue as a member of the St. Johns River Power Park retirement plan including social security. JEA shall make the required employer contribution into the fund for such employees in the same manner and amount as the St. Johns River Power Park is required to do for St. Johns River Power Park employees who are members of the fund. This option to remain as a member of the St. Johns River Power Park retirement plan after becoming an employee of JEA or to remain as a member of the 1937 Employees' Pension Fund of the City after becoming an employee of the St. Johns River Power Park shall be available and limited to the first 150 employees exercising either option.

Section 2. This act is intended to provide prospective rights and limitations which shall take effect upon this act becoming a law.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor May 22, 2000.

Filed in Office Secretary of State May 22, 2000.