

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing PCB: Economic Affairs Committee
 2 Representative Nelson offered the following:

Amendment (with title amendment)

5 Remove lines 67-146 and insert:

6 Section 1. Subsections (3), (5), and (6) of section
 7 163.3175, Florida Statutes, are amended to read:

8 163.3175 Legislative findings on compatibility of
 9 development with military installations; exchange of information
 10 between local governments and military installations.-

11 (3) The Florida Defense Support Task Force Council ~~on~~
 12 ~~Military Base and Mission Support~~ may recommend to the
 13 Legislature changes to the military installations and local
 14 governments specified in subsection (2) based on a military
 15 base's potential for impacts from encroachment, and incompatible
 16 land uses and development.

17 (5) The commanding officer or his or her designee may
 18 provide advisory comments to the affected local government on
 19 the impact such proposed changes may have on the mission of the

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20 military installation. Such advisory comments shall be based on
21 appropriate data and analyses provided with the comments and may
22 include:

23 (a) If the installation has an airfield, whether such
24 proposed changes will be incompatible with the safety and noise
25 standards contained in the Air Installation Compatible Use Zone
26 (AICUZ) adopted by the military installation for that airfield;

27 (b) Whether such changes are incompatible with the
28 Installation Environmental Noise Management Program (IENMP) of
29 the United States Army;

30 (c) Whether such changes are incompatible with the
31 findings of a Joint Land Use Study (JLUS) for the area if one
32 has been completed; and

33 (d) Whether the military installation's mission will be
34 adversely affected by the proposed actions of the county or
35 affected local government.

36
37 The commanding officer's comments, underlying studies, and
38 reports shall be considered by the local government in the same
39 manner as the comments received from other reviewing agencies
40 pursuant to s. 163.3184 are not binding on the local government.

41 (6) The affected local government shall take into
42 consideration any comments and accompanying data and analyses
43 provided by the commanding officer or his or her designee
44 pursuant to subsection (4) as they relate to the strategic
45 mission of the base, public safety, and the economic vitality
46 associated with the base's operations, while also respecting and
47 must also be sensitive to private property rights and not being

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48 ~~be~~ unduly restrictive on those rights. The affected local
49 government shall forward a copy of any comments regarding
50 comprehensive plan amendments to the state land planning agency.

51 Section 2. Section 265.003, Florida Statutes, is amended
52 to read:

53 265.003 Florida Veterans' Hall of Fame.—

54 (1) It is the intent of the Legislature to recognize and
55 honor those military veterans who, through their works and lives
56 during or after military service, have made a significant
57 contribution to the State of Florida.

58 (2) There is established the Florida Veterans' Hall of
59 Fame.

60 (a) The Florida Veterans' Hall of Fame is administered by
61 the Florida Department of Veterans' Affairs without
62 appropriation of state funds.

63 (b) The Department of Management Services shall set aside
64 an area on the Plaza Level of the Capitol Building along the
65 northeast front wall and shall consult with the Department of
66 Veterans' Affairs regarding the design and theme of the area.

67 (c) Each person who is inducted into the Florida Veterans'
68 Hall of Fame shall have his or her name placed on a plaque
69 displayed in the designated area of the Capitol Building.

70 (3) (a) The Florida Veterans' Hall of Fame Council is
71 created within the Department of Veterans' Affairs as an
72 advisory council, as defined in s. 20.03(7), consisting of seven
73 members who shall all be honorably discharged veterans, and at
74 least four of whom must be members of a congressionally
75 chartered veterans service organization. The Governor, the

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76 President of the Senate, the Speaker of the House of
77 Representatives, the Attorney General, the Chief Financial
78 Officer, the Commissioner of Agriculture, and the executive
79 director of the Department of Veterans' Affairs shall each
80 appoint one member. For the purposes of ensuring staggered
81 terms, the council members appointed by the Governor, the
82 Attorney General, the Chief Financial Officer, and the
83 Commissioner of Agriculture shall be appointed to 4-year terms
84 beginning on January 1 of the year of appointment, and the
85 council members appointed by the President of the Senate, the
86 Speaker of the House of Representatives, and the executive
87 director of the Department of Veterans' Affairs shall be
88 appointed to 2-year terms beginning on January 1 of the year of
89 appointment. After the initial appointments, all appointees
90 shall be appointed to 4-year terms. A member whose term expires
91 shall continue to serve on the council until such time as a
92 replacement is appointed.

93 (b) The members shall annually elect a chair from among
94 their number. The council shall meet at the call of its chair,
95 at the request of the executive director of the Department of
96 Veterans' Affairs, or at such times as may be prescribed by the
97 council. A majority of the members of the council currently
98 appointed constitutes a quorum, and a meeting may not be held
99 unless a quorum is present. The affirmative vote of a majority
100 of the members of the council present is necessary for any
101 official action by the council.

102 (c) Members of the council may not receive compensation or
103 honorarium for their services. Members may be reimbursed for

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104 travel expenses incurred in the performance of their duties, as
105 provided in s. 112.061, however, no state funds may be used for
106 this purpose.

107 (d) The original appointing authority may remove his or
108 her appointee from the council for misconduct or malfeasance in
109 office, neglect of duty, incompetence, or permanent inability to
110 perform official duties or if the member is adjudicated guilty
111 of a felony.

112 (4)-(3)(a) The Florida Veterans' Hall of Fame Council
113 Department of Veterans' Affairs shall annually accept
114 nominations of persons to be considered for induction into the
115 Florida Veterans' Hall of Fame and shall then transmit a list of
116 up to 20 nominees its recommendations to the Department of
117 Veterans' Affairs for submission to the Governor and the Cabinet
118 who will select the nominees to be inducted.

119 (b) In selecting its nominees for submission ~~making its~~
120 ~~recommendations~~ to the Governor and the Cabinet, the Florida
121 Veterans' Hall of Fame Council ~~Department of Veterans' Affairs~~
122 shall give preference to veterans who were born in Florida or
123 adopted Florida as their home state or base of operation and who
124 have made a significant contribution to the state in civic,
125 business, public service, or other pursuits.

126 (5)-(4) The Florida Veterans' Hall of Fame Council
127 Department of Veterans' Affairs may establish criteria and set
128 specific time periods for acceptance of nominations and for the
129 process of selection of nominees for membership and establish a
130 formal induction ceremony to coincide with the annual
131 commemoration of Veterans' Day.

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132 Section 3. Subsections (9) and (10) of section 288.972,
133 Florida Statutes, are amended to read:

134 288.972 Legislative intent.—It is the policy of this
135 state, once the Federal Government has proposed any base closure
136 or has determined that military bases, lands, or installations
137 are to be closed and made available for reuse, to:

138 ~~(9) Coordinate the development of the Defense-Related~~
139 ~~Business Adjustment Program to increase commercial technology~~
140 ~~development by defense companies.~~

141 (9) ~~(10)~~ Coordinate the development, maintenance, and
142 analysis of a workforce database to assist workers adversely
143 affected by defense-related activities in their relocation
144 efforts.

145 Section 4. Section 288.980, Florida Statutes, is amended
146 to read:

147 288.980 Military base retention; legislative intent;
148 grants program.—

149 (1) (a) It is the intent of this state to provide the
150 necessary means to assist communities with military
151 installations in supporting and sustaining those installations
152 ~~that would be adversely affected by federal base realignment or~~
153 ~~closure actions.~~ It is further the intent to encourage
154 communities to initiate a coordinated program of response and
155 plan of action in advance of future actions of the federal
156 government relating to realignments and closures ~~Base~~
157 ~~Realignment and Closure Commission.~~ It is critical that ~~closure-~~
158 ~~vulnerable~~ communities develop and implement strategies ~~such a~~
159 ~~program~~ to preserve and protect ~~affected~~ military installations.

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160 The Legislature hereby recognizes that the state needs to
161 coordinate all efforts that can support ~~facilitate the retention~~
162 ~~of all remaining~~ military installations throughout ~~in~~ the state.
163 The Legislature, therefore, declares that providing such
164 assistance to support the defense-related initiatives within
165 this section is a public purpose for which public money may be
166 used.

167 (b) The Florida Defense Alliance, an organization within
168 Enterprise Florida, is designated as the organization to ensure
169 that Florida, its resident military bases and missions, and its
170 military host communities are in competitive positions as the
171 United States continues its defense realignment and downsizing.
172 The defense alliance shall serve as an overall advisory body for
173 defense-related activity of Enterprise Florida, Inc. The Florida
174 Defense Alliance may receive funding from appropriations made
175 for that purpose administered by the department.

176 (2) The Military Base Protection Program is created. Funds
177 appropriated to this program may be used to address emergent
178 needs relating to mission sustainment and base retention. All
179 funds appropriated for the purposes of this program are eligible
180 to be used for matching of federal funds. The department shall
181 coordinate and implement this program.

182 (3)-(2)(a) The department is authorized to award grants on
183 a competitive basis from any funds available to it to support
184 activities related to the Florida Defense Reinvestment Grant
185 Program and the Florida Defense Infrastructure Grant Program
186 ~~retention of military installations potentially affected by~~
187 ~~federal base closure or realignment.~~

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188 (b) The term "activities" as used in this section means
189 studies, presentations, analyses, plans, and modeling. For the
190 purposes of the Florida Defense Infrastructure Grant Program,
191 the term "activities" also includes, but is not limited to,
192 construction, land purchases, and easements. Staff salaries are
193 not considered an "activity" for which grant funds may be
194 awarded. Travel costs and costs incidental thereto incurred by a
195 grant recipient shall be considered an "activity" for which
196 grant funds may be awarded.

197 (c) ~~Except for grants issued pursuant to the Florida~~
198 ~~Military Installation Reuse Planning and Marketing Grant Program~~
199 ~~as described in paragraph (3)(c), the amount of any grant~~
200 ~~provided to an applicant may not exceed \$250,000.~~ The department
201 shall require that an applicant:

202 1. Represent a local government with a military
203 installation or military installations that could be adversely
204 affected by federal actions ~~base realignment or closure.~~

205 2. Agree to match at least 30 percent of any grant
206 awarded.

207 3. Prepare a coordinated program or plan of action
208 delineating how the eligible project will be administered and
209 accomplished.

210 4. Provide documentation describing the potential for
211 changes to the mission ~~realignment or closure~~ of a military
212 installation located in the applicant's community and the
213 potential ~~adverse~~ impacts such changes ~~realignment or closure~~
214 will have on the applicant's community.

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215 (d) In making grant awards the department ~~office~~ shall
216 consider, at a minimum, the following factors:

217 1. The relative value of the particular military
218 installation in terms of its importance to the local and state
219 economy relative to other military installations ~~vulnerable to~~
220 ~~closure~~.

221 2. The potential job displacement within the local
222 community should the mission of the military installation be
223 changed ~~closed~~.

224 3. The potential ~~adverse~~ impact on industries and
225 technologies which service the military installation.

226 ~~(4)(3)~~ The Florida Defense Reinvestment Grant Program
227 ~~Economic Reinvestment Initiative~~ is established to respond to
228 the need for this state to work in conjunction with defense-
229 dependent communities in developing and implementing strategies
230 and approaches that will help communities support the missions
231 of military installations, and in developing and implementing
232 ~~and defense-dependent communities in this state to develop~~
233 alternative economic diversification strategies to transition
234 from a defense economy to a nondefense economy ~~lessen reliance~~
235 ~~on national defense dollars in the wake of base closures and~~
236 ~~reduced federal defense expenditures and the need to formulate~~
237 ~~specific base reuse plans and identify any specific~~
238 ~~infrastructure needed to facilitate reuse.~~ Eligible applicants
239 include defense-dependent counties and cities, and local
240 economic development councils located within such communities.
241 The program initiative shall ~~consist of the following two~~
242 ~~distinct grant programs~~ to be administered by the department and

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243 grant awards may be provided to support community-based
244 activities that:

245 (a) Protect existing military installations; ~~The Florida~~
246 ~~Defense Planning Grant Program, through which funds shall be~~
247 ~~used to analyze the extent to which the state is dependent on~~
248 ~~defense dollars and defense infrastructure and prepare~~
249 ~~alternative economic development strategies. The state shall~~
250 ~~work in conjunction with defense-dependent communities in~~
251 ~~developing strategies and approaches that will help communities~~
252 ~~make the transition from a defense economy to a nondefense~~
253 ~~economy. Grant awards may not exceed \$250,000 per applicant and~~
254 ~~shall be available on a competitive basis.~~

255 (b) Diversify the economy of a defense-dependent
256 community; ~~or The Florida Defense Implementation Grant Program,~~
257 ~~through which funds shall be made available to defense-dependent~~
258 ~~communities to implement the diversification strategies~~
259 ~~developed pursuant to paragraph (a). Eligible applicants include~~
260 ~~defense-dependent counties and cities, and local economic~~
261 ~~development councils located within such communities. Grant~~
262 ~~awards may not exceed \$100,000 per applicant and shall be~~
263 ~~available on a competitive basis. Awards shall be matched on a~~
264 ~~one-to-one basis.~~

265 (c) ~~The Florida Military Installation Reuse Planning and~~
266 ~~Marketing Grant Program, through which funds shall be used to~~
267 ~~help counties, cities, and local economic development councils~~
268 ~~Develop and implement plans for the reuse of closed or realigned~~
269 ~~military installations, including any plans necessary for~~

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270 infrastructure improvements needed to facilitate reuse and
271 related marketing activities.

272

273 Applications for grants under this subsection must include a
274 coordinated program of work or plan of action delineating how
275 the eligible project will be administered and accomplished,
276 which must include a plan for ensuring close cooperation between
277 civilian and military authorities in the conduct of the funded
278 activities and a plan for public involvement.

279 (5)~~(4)~~ The Defense Infrastructure Grant Program is
280 created. The department shall coordinate and implement this
281 program, the purpose of which is to support local infrastructure
282 projects deemed to have a positive impact on the military value
283 of installations within the state. Funds are to be used for
284 projects that benefit both the local community and the military
285 installation. ~~It is not the intent, however, to fund on-base~~
286 ~~military construction projects.~~ Infrastructure projects to be
287 funded under this program include, but are not limited to, those
288 related to encroachment, transportation and access, utilities,
289 communications, housing, environment, and security. Grant
290 requests will be accepted only from economic development
291 applicants serving in the official capacity of a governing board
292 of a county, municipality, special district, or state agency
293 that will have the authority to maintain the project upon
294 completion. An applicant must represent a community or county in
295 which a military installation is located. There is no limit as
296 to the amount of any grant awarded to an applicant. A match by
297 the county or local community may be required. The program may

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298 not be used to fund on-base military construction projects. The
299 department shall establish guidelines to implement the purpose
300 of this subsection.

301 ~~(5) (a) The Defense-Related Business Adjustment Program is~~
302 ~~hereby created. The department shall coordinate the development~~
303 ~~of the Defense-Related Business Adjustment Program. Funds shall~~
304 ~~be available to assist defense-related companies in the creation~~
305 ~~of increased commercial technology development through~~
306 ~~investments in technology. Such technology must have a direct~~
307 ~~impact on critical state needs for the purpose of generating~~
308 ~~investment-grade technologies and encouraging the partnership of~~
309 ~~the private sector and government defense-related business~~
310 ~~adjustment. The following areas shall receive precedence in~~
311 ~~consideration for funding commercial technology development: law~~
312 ~~enforcement or corrections, environmental protection,~~
313 ~~transportation, education, and health care. Travel and costs~~
314 ~~incidental thereto, and staff salaries, are not considered an~~
315 ~~"activity" for which grant funds may be awarded.~~

316 ~~(b) The department shall require that an applicant:~~

317 ~~1. Be a defense-related business that could be adversely~~
318 ~~affected by federal base realignment or closure or reduced~~
319 ~~defense expenditures.~~

320 ~~2. Agree to match at least 50 percent of any funds awarded~~
321 ~~by the United States Department of Defense in cash or in-kind~~
322 ~~services. Such match shall be directly related to activities for~~
323 ~~which the funds are being sought.~~

324 ~~3. Prepare a coordinated program or plan delineating how~~
325 ~~the funds will be administered.~~

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326 ~~4. Provide documentation describing how defense-related~~
327 ~~realignment or closure will adversely impact defense-related~~
328 ~~companies.~~

329 ~~(6) The Retention of Military Installations Program is~~
330 ~~created. The department shall coordinate and implement this~~
331 ~~program.~~

332 (6)~~(7)~~ The department may award nonfederal matching funds
333 specifically appropriated for construction, maintenance, and
334 analysis of a Florida defense workforce database. Such funds
335 will be used to create a registry of worker skills that can be
336 used to match the worker needs of companies that are relocating
337 to this state or to assist workers in relocating to other areas
338 within this state where similar or related employment is
339 available.

340 (7)~~(8)~~ Payment of administrative expenses shall be limited
341 to no more than 10 percent of any grants issued pursuant to this
342 section.

343 (8)~~(9)~~ The department shall establish guidelines to
344 implement and carry out the purpose and intent of this section.

345 Section 5. The powers, duties, functions, records,
346 personnel, property, pending issues, existing contracts,
347 administrative authority, administrative rules, and unexpended
348 balances of appropriations, allocations, and other funds of the
349 Florida Council on Military Base and Mission Support within the
350 Department of Economic Opportunity are transferred by a type two
351 transfer, as defined in s. 20.06(2), Florida Statutes, to the
352 Florida Defense Support Task Force within the Department of
353 Economic Opportunity.

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354 Section 6. Section 288.984, Florida Statutes, is repealed.

355 Section 7. Subsections (1) and (2) of section 288.985,
356 Florida Statutes, are amended to read:

357 288.985 Exemptions from public records and public meetings
358 requirements.—

359 (1) The following records held by the Florida Defense
360 Support Task Force Council on Military Base and Mission Support
361 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
362 Constitution:

363 (a) That portion of a record which relates to strengths
364 and weaknesses of military installations or military missions in
365 this state relative to the selection criteria for the
366 realignment and closure of military bases and missions under any
367 United States Department of Defense base realignment and closure
368 process.

369 (b) That portion of a record which relates to strengths
370 and weaknesses of military installations or military missions in
371 other states or territories and the vulnerability of such
372 installations or missions to base realignment or closure under
373 the United States Department of Defense base realignment and
374 closure process, and any agreements or proposals to relocate or
375 realign military units and missions from other states or
376 territories.

377 (c) That portion of a record which relates to the state's
378 strategy to retain its military bases during any United States
379 Department of Defense base realignment and closure process and
380 any agreements or proposals to relocate or realign military
381 units and missions.

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382 (2) Meetings or portions of meetings of the Florida
383 Defense Support Task Force Council on Military Base and Mission
384 ~~Support~~, or a workgroup of the task force council, at which
385 records are presented or discussed which are exempt under
386 subsection (1) are exempt from s. 286.011 and s. 24(b), Art. I
387 of the State Constitution.

388 Section 8. Subsections (2), (5), (6), and (7) of section
389 288.987, Florida Statutes, are amended to read:

390 288.987 Florida Defense Support Task Force.—

391 (2) The mission of the task force is to make
392 recommendations ~~to prepare the state to effectively compete in~~
393 ~~any federal base realignment and closure action~~, to support the
394 state's position in research and development related to or
395 arising out of military missions and contracting, and to improve
396 the state's military-friendly environment for service members,
397 military dependents, military retirees, and businesses that
398 bring military and base-related jobs to the state.

399 (5) The executive director of Department of Economic
400 Opportunity ~~the Office of Tourism, Trade, and Economic~~
401 ~~Development within the Executive Office of the Governor~~, or his
402 or her designee, shall serve as the ex officio, nonvoting
403 executive director of the task force.

404 (6) ~~The chair shall schedule and conduct the first meeting~~
405 ~~of the task force by October 1, 2011.~~ The task force shall
406 submit an annual ~~a~~ progress report and work plan ~~for the~~
407 ~~remainder of the 2011-2012 fiscal year~~ to the Governor, the
408 President of the Senate, and the Speaker of the House of

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409 Representatives ~~by February 1, 2012, and shall submit an annual~~
 410 ~~report~~ each February 1 thereafter.

411 (7) The department ~~Office of Tourism, Trade, and Economic~~
 412 ~~Development~~ shall contract with the task force for expenditure
 413 of appropriated funds, which may be used by the task force for
 414 economic and product research and development, joint planning
 415 with host communities to accommodate military missions and
 416 prevent base encroachment, advocacy on the state's behalf with
 417 federal civilian and military officials, assistance to school
 418 districts in providing a smooth transition for large numbers of
 419 additional military-related students, job training and placement
 420 for military spouses in communities with high proportions of
 421 active duty military personnel, and promotion of the state to
 422 military and related contractors and employers. The task force
 423 may annually spend up to \$200,000 of funds appropriated to the
 424 department ~~Executive Office of the Governor, Office of Tourism,~~
 425 ~~Trade, and Economic Development~~, for the task force for staffing
 426 and administrative expenses of the task force, including travel
 427 and per diem costs incurred by task force members who are not
 428 otherwise eligible for state reimbursement.

429

430

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432

433

T I T L E A M E N D M E N T

434

Remove lines 3-12 and insert:

435

163.3175, F.S.; authorizing the Florida Defense Support

436

Task Force to recommend to the Legislature specified

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437 changes in military installations and local governments
438 under the Community Planning Act; clarifying and revising
439 procedures related to exchange of information between
440 military installations and local governments under the act;
441 amending s. 265.003, F.S.; creating the Florida Veterans'
442 Hall of Fame Council; providing for membership and terms of
443 appointment; providing for the appointment of a chair;
444 providing for meetings, a quorum, and voting; providing for
445 reimbursement of travel expenses; providing for the removal
446 of an appointee; providing for the Florida Veterans' Hall
447 of Fame Council rather than the Department of Veterans'
448 Affairs to select nominees for induction into the Florida
449 Veterans' Hall of Fame and to establish the criteria for
450 selection; amending s. 288.972, F.S.; revising legislative
451 intent with respect to proposed closure or reuse of
452 military bases; amending s. 288.980, F.S.; creating the
453 Military Base Protection Program within the Department of
454 Economic Opportunity; providing for use of program funds;
455 revising provisions relating to the award of grants for
456 retention of military installations; revising a definition;
457 eliminating the Florida Economic Reinvestment Initiative;
458 establishing the Florida Defense Reinvestment Grant Program
459 to be administered by the Department of Economic
460 Opportunity; specifying purposes of the program; specifying
461 activities for which grant awards may be provided;
462 eliminating the Defense-Related Business Adjustment
463 Program, the Florida Defense Planning Grant Program, the
464 Florida Defense Implementation Grant Program, the Florida

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465 Military Installation Reuse Planning and Marketing Grant
466 Program, and the Retention of Military Installations
467 Program; transferring and reassigning the functions and
468 responsibilities of the Florida Council on Military Base
469 and Mission Support within the Department of Economic
470 Opportunity to the Florida Defense Support Task Force
471 within the Department of Economic Opportunity by type two
472 transfer; repealing s. 288.984, F.S., which establishes the
473 Florida Council on Military Base and Mission Support and
474 provides purposes thereof; amending s. 288.985, F.S.;
475 conforming provisions relating to exempt records and
476 meetings of the Council on Military Base and Mission
477 Support; amending s. 288.987, F.S.; revising provisions
478 relating to the Florida Defense Support Task Force, to
479 conform;
480