



Committee on Military & Veterans' Affairs

Action Packet

**Wednesday, March 19, 2008
9:00 – 9:30 AM
Room 12 HOB**

COMMITTEE MEETING REPORT
Committee on Military & Veterans' Affairs

3/19/2008 9:00:00AM

Location: 12 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Stan Jordan (Chair)	X		
Debbie Boyd	X		
Greg Evers	X		
Janet Long	X		
Jimmy Patronis	X		
Ralph Poppell	X		
Totals:	6	0	0

Committee meeting was reported out: Wednesday, March 19, 2008 12:13:20PM

COMMITTEE MEETING REPORT
Committee on Military & Veterans' Affairs

3/19/2008 9:00:00AM

Location: 12 HOB

HB 687 : Service-Disabled Veteran Business Enterprises

Favorable With Amendments (1)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Debbie Boyd	X				
Greg Evers	X				
Janet Long				X	
Jimmy Patronis	X				
Ralph Poppell	X				
Stan Jordan (Chair)	X				
Total Yeas: 5		Total Nays: 0			

Appearances:

Service-Disabled Veteran Business Preference

Joe Marino (Lobbyist) (State Employee) - Proponent

FDVA - Legislative Affairs

4040 Esplanade Way

Tallahassee FL 32399

Phone: 850 487-1533

Service-Disabled Veteran Business Owners

Bill Helmich - Proponent

VFW

303 Johns Dr

Tallahassee FL 32301

Phone: 850 251-3126

Service-Disabled Veteran Business

Jan Gorrie - Attorney - Proponent

Technological Research & Development Authority

401 E. Jackson St.

Tampa FL

Phone: 813 334-5288

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 687**

COUNCIL/COMMITTEE ACTION

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WITHDRAWN _____ (Y/N)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

1 Council/Committee hearing bill:

2 Representative(s) Proctor offered the following:

4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Florida Service-Disabled Veteran Business
7 Enterprise Opportunity Act.--

8 (1) TITLE.--This section may be cited as the "Florida
9 Service-Disabled Veteran Business Enterprise Opportunity Act."

10 (2) INTENT.--It is the intent of the Legislature to
11 rectify the economic disadvantage of service-disabled veterans,
12 who are statistically the least likely to be self-employed when
13 compared to the veteran population as a whole and who have made
14 extraordinary sacrifices on behalf of the nation, the state, and
15 the public, by providing opportunities for service-disabled
16 veteran business enterprises as set forth in this section.

17 (3) DEFINITIONS.-- For the purpose of this section, the
18 term:

19 (a) "Certified service-disabled veteran business
20 enterprise" means a business that has been certified by the
21 Department of Management Services to be a service-disabled
22 veteran business enterprise as defined in paragraph (c).

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23 (b) "Service-disabled veteran" means a veteran who is a
24 permanent Florida resident with a service-connected disability
25 of 10 percent or greater as determined by the United States
26 Department of Veterans Affairs or who has been terminated from
27 military service by reason of disability by the United States
28 Department of Defense.

29 (c) "Service-disabled veteran business enterprise" means
30 an independently owned and operated business that:

31 1. Employs 200 or fewer permanent full-time employees;
32 2. Together with its affiliates has a net worth of \$5
33 million or less or, if a sole proprietorship, has a net worth of
34 \$5 million or less including both personal and business
35 investments;

36 3. Is organized to engage in commercial transactions;

37 4. Is domiciled in this state;

38 5. Is at least 51 percent owned by one or more service-
39 disabled veterans; and

40 6. The management and daily business operations of which
41 are controlled by one or more service-disabled veterans or, for
42 a service-disabled veteran with a permanent and total
43 disability, by the spouse or permanent caregiver of the veteran.

44 (4) VENDOR PREFERENCE.--

45 (a) A state agency, when considering two or more bids,
46 proposals, or replies for the procurement of commodities or
47 contractual services, at least one of which is from a certified
48 service-disabled veteran business enterprise, that are equal
49 with respect to all relevant considerations including price,
50 quality, and service, shall award such procurement or contract
51 to the certified service-disabled veteran business enterprise.

52 (b) Notwithstanding s. 287.057(12), if a service-disabled
53 veteran business enterprise entitled to the vendor preference

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54 under this section and one or more businesses entitled to this
55 preference or another vendor preference provided by the Florida
56 Statutes submit bids, proposals, or replies for procurement of
57 commodities or contractual services that are equal with respect
58 to all relevant considerations including price, quality, and
59 service, then the state agency shall award the procurement or
60 contract to the business having the smallest net worth.

61 (c) Political subdivisions of the state are encouraged to
62 offer a similar consideration to businesses certified under this
63 section.

64 (5) CERTIFICATION PROCEDURE.--

65 (a) The application for certification as a service-
66 disabled veteran business enterprise must, at a minimum,
67 include:

68 1. The name of the business enterprise applying for
69 certification and the name of the service-disabled veteran
70 submitting the application on behalf of the business enterprise.

71 2. The names of all owners of the business enterprise,
72 including owners who are service-disabled veterans and owners
73 who are not service-disabled veterans, and the percentage of
74 ownership interest held by each owner.

75 3. The name of all persons involved in both the management
76 and daily operations of the business, including the spouse or
77 permanent caregiver of a veteran with a permanent and total
78 disability.

79 4. The service-connected disability rating of all persons
80 listed under subparagraphs 1., 2., and 3., as applicable, with
81 supporting documentation from the United States Department of
82 Veterans Affairs or the United States Department of Defense.

83 5. The number of permanent full-time employees.

84 6. The location of the business headquarters.

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85 7. The total net worth of the business enterprise and its
86 affiliates. In the case of a sole proprietorship, the net worth
87 includes personal and business investments.

88 (b) To maintain certification, a service-disabled veteran
89 business enterprise shall renew its certification biennially.

90 (c) The provisions of chapter 120 relating to application,
91 denial, and revocation procedures shall apply to certifications
92 under this section.

93 (d) A certified service-disabled veteran business
94 enterprise must notify the Department of Management Services
95 within 30 business days after any event that may significantly
96 affect the certification of the business, including, but not
97 limited to, a change in ownership or change in management and
98 daily business operations.

99 (e) The certification of a service-disabled veteran
100 business enterprise shall be revoked for 12 months if the
101 Department of Management Services determines that the business
102 enterprise violated paragraph(d). An owner of a certified
103 service-disabled veteran business enterprise whose certification
104 is revoked is not permitted to reapply for certification under
105 this section as an owner of any business enterprise during the
106 12-month revocation period.

107 1. During the 12-month revocation period, a service-
108 disabled veteran business enterprise whose certification has
109 been revoked may bid on state contracts but is not eligible for
110 any preference available under this section.

111 2. A service-disabled veteran business enterprise whose
112 certification has been revoked may apply for certification at
113 the conclusion of the 12-month revocation period by complying
114 with requirements applicable to initial certifications.

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115 (6) DUTIES OF THE DEPARTMENT OF VETERANS' AFFAIRS.-- The
16 department shall:

117 (a) Assist the Department of Management Services in
118 establishing a certification procedure, which shall be reviewed
119 biennially and updated as necessary.

120 (b) Identify eligible service-disabled veteran business
121 enterprises by any electronic means, including electronic mail,
122 Internet website or by any other reasonable means.

123 (c) Encourage and assist eligible service-disabled veteran
124 business enterprises to apply for certification under this
125 section.

126 (d) Provide information regarding services that are
127 available from the Office of Veterans' Business Outreach of the
128 Florida Small Business Development Center to service-disabled
129 veteran business enterprises.

130 (7) DUTIES OF THE DEPARTMENT OF MANAGEMENT SERVICES.-- The
31 department shall:

132 (a) With assistance from the Department of Veterans'
133 Affairs, establish a certification procedure, which shall be
134 reviewed biennially and updated as necessary.

135 (b) Grant, deny, or revoke the certification of a service-
136 disabled veteran business enterprise under this section.

137 (c) Maintain an electronic directory of certified service-
138 disabled veteran business enterprises for use by the state,
139 political subdivisions of the state, and the public.

140 (8) REPORT.-- The Florida Small Business Development
141 Center shall include in its report required by s. 288.705 the
142 percentage of certified service-disabled veteran business
143 enterprises using the statewide contracts register.

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144 (9) RULES.-- The Department of Veterans' Affairs and the
145 Department of Management Services, as appropriate, may adopt
146 rules as necessary to administer this section.

147 Section 2. Section 288.705, Florida Statutes, is amended
148 to read:

149 288.705 Statewide contracts register.-- All state agencies
150 shall in a timely manner provide the Florida Small Business
151 Development Center Procurement System with all formal
152 solicitations for contractual services, supplies, and
153 commodities. The Small Business Development Center shall
154 coordinate with Minority Business Development Centers to compile
155 and distribute this ~~such~~ information to ~~Florida~~ small and
156 minority businesses requesting such service for the period of
157 time necessary to familiarize the business with the market
158 represented by state agencies. On or before February 1 of each
159 year, the Small Business Development Center shall report to the
160 Agency for Workforce Innovation ~~Department of Labor and~~
161 ~~Employment Security~~ on the use ~~utilization~~ of the statewide
162 contracts register. The ~~Such~~ report shall include, but not be
163 limited to, information relating to:

164 (1) The total number of solicitations received from state
165 agencies during the calendar year.

166 (2) The number of solicitations received from each state
167 agency during the calendar year.

168 (3) The method of distributing solicitation information to
169 ~~these~~ businesses requesting such service.

170 (4) The total number of businesses using the service.

171 (5) The percentage of businesses using the service which
172 are owned and controlled by minorities.

173 (6) The percentage of service-disabled veteran business
174 enterprises using the service.

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175 Section 3. This act shall take effect November 11, 2008.
176

177 -----
178 **T I T L E A M E N D M E N T**

179 Remove the entire title and insert:
180

181 A bill to be entitled

182 An act relating to service-disabled veteran business
183 enterprises; creating the Florida Service-Disabled Veteran
184 Business Enterprise Opportunity Act; providing legislative
185 intent; providing definitions; providing a selection
186 preference in state contracting for certified service-
187 disabled veteran business enterprises; providing a
188 certification procedure to be established by the
189 Department of Management Services and the Department of
190 Veterans' Affairs and reviewed biennially and updated as
191 necessary; providing requirements for application for,
192 renewal of, and revocation of certification; providing for
193 administrative review requirements and procedures;
194 providing duties of the departments; providing for data
195 reporting by the Small Business Development Center;
196 authorizing the departments to adopt rules; amending s.
197 288.705, F.S.; requiring the center to report the
198 percentage of businesses using the statewide contracts
199 registry that are certified service-disabled veteran
200 business enterprises; providing an effective date.

COMMITTEE MEETING REPORT
Committee on Military & Veterans' Affairs

3/19/2008 9:00:00AM

Location: 12 HOB

HB 843 : Family Readiness Program

Favorable With Amendments (1)

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Debbie Boyd	X				
Greg Evers	X				
Janet Long				X	
Jimmy Patronis	X				
Ralph Poppell	X				
Stan Jordan (Chair)	X				
Total Yeas: 5		Total Nays: 0			

Appearances:

Disabled American Veterans
 John Haynes - Information Only
 Past DAV State Commander
 424 Hiawatha Farms
 Monticello FL 32444
 Phone: 850 997-5328

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 843

COUNCIL/COMMITTEE ACTION

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

1 Council/Committee hearing bill: Military & Veterans' Affairs
2 Representative Patronis offered the following:

3 **Amendment**

4 Remove everything after the enacting clause and insert:

5
6 Section 1. Subsections (1), (4), and (7) of section
7 250.5206, Florida Statutes, are amended to read:

8 250.5206 Family Readiness Program.-- The Department of
9 Military Affairs shall establish the ~~a state~~ Family Readiness
10 Program headed by a program director and based on the United
11 States Department of Defense National Guard and Reserve Family
12 Readiness Strategic Plan 2004-2005 initiative.

13 (1) PROGRAM PURPOSE.-- The purpose of the program ~~is shall~~
14 ~~be~~ to provide need-based financial assistance to eligible
15 ~~families of~~ servicemembers of the Florida National Guard and
16 United States Reserve Forces, including the Coast Guard
17 Reserves, who are on active duty serving in the Global War on
18 Terrorism and who are federally deployed or participating in
19 state operations for homeland defense, and eligible families of
20 such servicemembers.

21 (4) ELIGIBILITY.--

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22 (a) The following persons are eligible to receive
23 financial assistance from the Family Readiness Program:

24 1. Florida residents who are members of the Florida
25 National Guard and United States Reserve Forces, including the
26 Coast Guard Reserves, who are on active duty serving in the
27 Global War on Terrorism and who are federally deployed or
28 participating in state operations for homeland defense; and

29 2. Florida residents who are designated as beneficiaries
30 on the United States Department of Defense Form 93, or who are
31 otherwise dependents, of a servicemember eligible under
32 subparagraph 1 and who are family members of such servicemember.

33 (b) An eligible person may request financial assistance
34 from the Family Readiness Program for 120 days following
35 termination of the eligible servicemember's military orders for
36 qualifying service and return to home of record.

37 ~~Eligible recipients shall include persons designated as~~
38 ~~beneficiaries on the United States Department of Defense Form~~
39 ~~93, or who are otherwise dependents of eligible servicemembers,~~
40 ~~and who are residents of the State of Florida. The period of~~
41 ~~eligibility to request assistance from the fund continues for~~
42 ~~120 days following termination of the service member's military~~
43 ~~orders for qualifying service and return to home of record.~~

44 (7) ANNUAL REPORT.-- The department shall maintain
45 sufficient data to provide an annual report to the Governor and
46 the Legislature on the servicemembers and families served under
47 the program, the types of services provided, and the allocation
48 of funds spent.

49 Section 2. This act shall take effect July 1, 2008.

COMMITTEE MEETING REPORT
Committee on Military & Veterans' Affairs

3/19/2008 9:00:00AM

Location: 12 HOB

Other Business Appearance:

Department of Military Affairs Budget
Glenn Sutphin (Lobbyist) (State Employee) - Information Only
DMA - Legislative Director
908 Capitol
Tallahassee FL 32399
Phone: 850 414-9049

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Committee on Military & Veterans' Affairs

3/19/2008 9:00:00AM

Location: 12 HOB

Summary:

Committee on Military & Veterans' Affairs

Wednesday March 19, 2008 09:00 am

HB 687 Favorable With Amendments (1)

Yeas: 5 Nays: 0

HB 843 Favorable With Amendments (1)

Yeas: 5 Nays: 0

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