



Military & Local Affairs Policy Committee

Wednesday, February 17, 2010

9:30 AM

306 HOB

ACTION PACKET

**Larry Cretul
Speaker**

**Dorothy Hukill
Chair**

COMMITTEE MEETING REPORT
Military & Local Affairs Policy Committee

2/17/2010 9:30:00AM

Location: 306 HOB

Summary:

Military & Local Affairs Policy Committee

Wednesday February 17, 2010 09:30 am

HB 395	Favorable With Committee Substitute	Yeas: 11	Nays: 0
HB 753	Favorable	Yeas: 10	Nays: 0
HB 759	Favorable	Yeas: 9	Nays: 0
PCB MLA 10-01	Favorable	Yeas: 11	Nays: 0
PCB MLA 10-02	Favorable	Yeas: 10	Nays: 0
PCB MLA 10-03	Favorable	Yeas: 9	Nays: 1
PCB MLA 10-04	Favorable	Yeas: 11	Nays: 0
PCB MLA 10-05	Favorable	Yeas: 11	Nays: 0

Committee meeting was reported out: Wednesday, February 17, 2010 12:50:31PM

COMMITTEE MEETING REPORT
Military & Local Affairs Policy Committee

2/17/2010 9:30:00AM

Location: 306 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Dorothy Hukill (Chair)	X		
Janet Adkins	X		
Mackenson Bernard	X		
Esteban Bovo, Jr.	X		
Chris Dorworth	X		
Keith Fitzgerald	X		
Evan Jenne	X		
Janet Long			X
Mark Pafford	X		
Ronald Renuart	X		
Ron Schultz	X		
Charles Van Zant	X		
John Wood	X		
Juan Zapata		X	
Totals:	12	1	1

COMMITTEE MEETING REPORT
Military & Local Affairs Policy Committee

2/17/2010 9:30:00AM

Location: 306 HOB

HB 395 : Direct-support Organization for the Department of Military Affairs

Favorable With Committee Substitute

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Mackenson Bernard	X				
Esteban Bovo, Jr.	X				
Chris Dorworth	X				
Keith Fitzgerald	X				
Evan Jenne	X				
Janet Long				X	
Mark Pafford	X				
Ronald Renuart	X				
Ron Schultz	X				
Charles Van Zant			X		
John Wood	X				
Juan Zapata			X		
Dorothy Hukill (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Appearances:

Direct Support Organization for the Department of Military Affairs
 Jim Brodie - Proponent
 Department of Veterans Affairs
 Suite 705, The Capitol
 Tallahassee FL 32399
 Phone: 850-487-1533

COMMITTEE MEETING REPORT
Military & Local Affairs Policy Committee

2/17/2010 9:30:00AM

Location: 306 HOB

HB 753 : Monroe County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Mackenson Bernard	X				
Esteban Bovo, Jr.	X				
Chris Dorworth				X	
Keith Fitzgerald	X				
Evan Jenne	X				
Janet Long				X	
Mark Pafford	X				
Ronald Renuart	X				
Ron Schultz	X				
Charles Van Zant			X		
John Wood	X				
Juan Zapata			X		
Dorothy Hukill (Chair)	X				
Total Yeas: 10		Total Nays: 0			

COMMITTEE MEETING REPORT
Military & Local Affairs Policy Committee

2/17/2010 9:30:00AM

Location: 306 HOB

HB 759 : Northern Palm Beach County Improvement District, Palm Beach County

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Mackenson Bernard	X				
Esteban Bovo, Jr.	X				
Chris Dorworth				X	
Keith Fitzgerald	X				
Evan Jenne	X				
Janet Long				X	
Mark Pafford	X				
Ronald Renuart			X		
Ron Schultz	X				
Charles Van Zant			X		
John Wood	X				
Juan Zapata			X		
Dorothy Hukill (Chair)	X				
Total Yeas: 9		Total Nays: 0			

Appearances:

Northern Palm Beach County Improvement District
Terry Lewis (Lobbyist) - Proponent
1700 Palm Beach Lake Blvd
West Palm Beach FL
Phone: 561-640-0820

COMMITTEE MEETING REPORT
Military & Local Affairs Policy Committee

2/17/2010 9:30:00AM

Location: 306 HOB

PCB MLA 10-01 : Formation of Local Governments

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Mackenson Bernard			X		
Esteban Bovo, Jr.	X				
Chris Dorworth	X				
Keith Fitzgerald	X				
Evan Jenne	X				
Janet Long				X	
Mark Pafford	X				
Ronald Renuart	X				
Ron Schultz	X				
Charles Van Zant	X				
John Wood	X				
Juan Zapata			X		
Dorothy Hukill (Chair)	X				
Total Yeas: 11		Total Nays: 0			

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Location: 306 HOB

PCB MLA 10-02 : Local Government Services

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Mackenson Bernard			X		
Esteban Bovo, Jr.	X				
Chris Dorworth	X				
Keith Fitzgerald	X				
Evan Jenne	X				
Janet Long				X	
Mark Pafford	X				
Ronald Renuart	X				
Ron Schultz	X				
Charles Van Zant			X		
John Wood	X				
Juan Zapata			X		
Dorothy Hukill (Chair)	X				
Total Yeas: 10		Total Nays: 0			

COMMITTEE MEETING REPORT
Military & Local Affairs Policy Committee

2/17/2010 9:30:00AM

Location: 306 HOB

PCB MLA 10-03 : Urban Infill and Redevelopment

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Mackenson Bernard			X		
Esteban Bovo, Jr.	X				
Chris Dorworth	X				
Keith Fitzgerald	X				
Evan Jenne	X				
Janet Long				X	
Mark Pafford		X			
Ronald Renuart	X				
Ron Schultz	X				
Charles Van Zant			X		
John Wood	X				
Juan Zapata			X		
Dorothy Hukill (Chair)	X				
Total Yeas: 9		Total Nays: 1			

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COMMITTEE MEETING REPORT
Military & Local Affairs Policy Committee

2/17/2010 9:30:00AM

Location: 306 HOB

PCB MLA 10-04 : Playgrounds and Recreation Centers

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Mackenson Bernard			X		
Esteban Bovo, Jr.	X				
Chris Dorworth	X				
Keith Fitzgerald	X				
Evan Jenne	X				
Janet Long				X	
Mark Pafford	X				
Ronald Renuart	X				
Ron Schultz	X				
Charles Van Zant	X				
John Wood	X				
Juan Zapata			X		
Dorothy Hukill (Chair)	X				
Total Yeas: 11		Total Nays: 0			

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COMMITTEE MEETING REPORT
Military & Local Affairs Policy Committee

2/17/2010 9:30:00AM

Location: 306 HOB

PCB MLA 10-05 : Florida Industrial Development Corporation

Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Janet Adkins	X				
Mackenson Bernard			X		
Esteban Bovo, Jr.	X				
Chris Dorworth	X				
Keith Fitzgerald	X				
Evan Jenne	X				
Janet Long				X	
Mark Pafford	X				
Ronald Renuart	X				
Ron Schultz	X				
Charles Van Zant	X				
John Wood	X				
Juan Zapata			X		
Dorothy Hukill (Chair)	X				
Total Yeas: 11		Total Nays: 0			

Amendment No.

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 & Local Affairs Policy
2 Committee

3 Representative(s) Dorworth offered the following:

4
5 **Substitute Amendment to Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 250.115, Florida Statutes, is amended
8 to read:

9 250.115 Department of Military Affairs direct-support
10 organization.—

11 (1) DEFINITIONS.—As used in this section, the term:

12 (a) "Direct-support organization" means an organization
13 that is:

14 1. A Florida corporation not for profit, incorporated
15 under chapter 617, and approved by the Department of State.

16 2. Organized and operated exclusively to raise funds;
17 request and receive grants, gifts, and bequests of moneys;
18 acquire, receive, hold, invest, and administer in its own name
19 securities, funds, or property; support the processing of

COUNCIL/COMMITTEE AMENDMENT

Bill No. HB 395 (2010)

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20 requests for assistance from the Soldiers and Airmen Assistance
21 Program or similar programs, as directed by the Adjutant
22 General; and make expenditures to or for the direct or indirect
23 benefit of the Department of Military Affairs or the Florida
24 National Guard.

25 3. Determined by the Department of Military Affairs to be
26 operating in a manner consistent with the goals of the
27 Department of Military Affairs and the Florida National Guard
28 and in the best interest of the state. Any organization that is
29 denied certification by the Adjutant General may not use the
30 name of the Florida National Guard or the Department of Military
31 Affairs in any part of its name or its publications.

32 (b) "Personal services" includes full-time or part-time
33 personnel as well as payroll processing.

34 (2) BOARD OF DIRECTORS.—The organization shall be governed
35 by a board of directors. The Adjutant General, or his or her
36 designee, shall appoint a president of the board. The board of
37 directors shall ~~consist of up to 15 members appointed by the~~
38 ~~president of the board. Up to 15 additional members may be~~
39 ~~appointed by the president of the board of directors. The terms~~
40 ~~of office of the members shall be 3 years. Members must be~~
41 ~~residents of the state and highly knowledgeable about the United~~
42 ~~States military, its service personnel, and its missions. In~~
43 ~~making appointments, the board must consider a potential~~
44 ~~member's background in community service. The board may remove~~
45 ~~any member for cause and shall fill vacancies that occur.~~

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46 (3) CONTRACT.— The direct-support organization shall
47 operate under a written contract with the department. The
48 written contract must provide for:

49 (a) Certification by the department that the direct-
50 support organization is complying with the terms of the contract
51 and is doing so consistent with the goals and purposes of the
52 department and in the best interests of the state. This
53 certification must be made annually and reported in the official
54 minutes of a meeting of the direct-support organization.

55 (b) The reversion of moneys and property held by the
56 direct-support organization:

57 1. To the department if the direct-support organization is
58 no longer approved to operate for the department;

59 2. To the department if the direct-support organization
60 ceases to exist; or

61 3. To the state if the department ceases to exist.

62 (c) The disclosure of the material provisions of the
63 contract and the distinction between the department and the
64 direct-support organization to donors of gifts, contributions,
65 or bequests, including such disclosure on all promotional and
66 fundraising publications.

67 (34) USE OF PROPERTY.—

68 (a) The Department of Military Affairs may permit the use
69 of property, facilities, and personal services of the Department
70 of Military Affairs by the direct-support organization, subject
71 to the provisions of this section.

72 (b) The Department of Military Affairs may prescribe by
73 rule any condition with which a direct-support organization

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74 organized under this section must comply in order to use
75 property, facilities, or personal services of the Department of
76 Military Affairs.

77 (c) The Department of Military Affairs may not permit the
78 use of its property, facilities, or personal services by any
79 direct-support organization organized under this section which
80 does not provide equal employment opportunities to all persons
81 regardless of race, color, national origin, gender, age, or
82 religion.

83 (45) ACTIVITIES; RESTRICTIONS.—Any transaction or
84 agreement between the direct-support organization organized
85 pursuant to this section and another direct-support organization
86 or center of technology innovation designated under s. 1004.77
87 must be approved by the Department of Military Affairs.

88 (56) ANNUAL BUDGETS AND REPORTS.—The direct-support
89 organization shall submit to the Department of Military Affairs
90 its annual budget and financial reports, its federal Internal
91 Revenue Service Application for Recognition of Exemption form
92 (Form 1023), and its federal Internal Revenue Service Return of
93 Organization Exempt from Income Tax form (Form 990).

94 (67) ANNUAL AUDIT.—The direct-support organization shall
95 provide for an annual financial audit in accordance with s.
96 215.981.

97 Section 2. Section 250.116, Florida Statutes, is created
98 to read:

99 250.116 Soldiers and Airmen Assistance Program.—

100 (1) PROGRAM PURPOSE.—The purpose of the program is to
101 provide financial assistance and services to eligible

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102 servicemembers of the Florida National Guard and eligible
103 members of their families. The program shall be administered by
104 the Department of Military Affairs. The department may be
105 assisted in the processing of applications and the administering
106 of the program by the direct-support organization authorized
107 under s. 250.115.

108 (2) FUNDING.—The program shall be implemented through
109 funding provided by the direct-support organization.

110 (3) AUTHORIZED ASSISTANCE.—The assistance available under
111 the program may include:

112 (a) Housing.—The program may provide housing assistance.
113 Housing assistance includes assistance with emergency repairs,
114 renovations, or replacements that are needed for a
115 servicemember's primary residential property in order to address
116 health or safety issues or meet disability needs. Housing
117 assistance also includes assistance with lease deposits,
118 mortgage payments, and rent payments.

119 (b) Living expenses.—The program may provide assistance
120 for living expenses that are reasonable and necessary to meet
121 basic needs for eligible members of the Florida National Guard
122 and eligible members of their families. Living expenses include
123 expenses for clothing, groceries, utility services, motor
124 vehicle fuel and transportation, insurance, and child care that
125 is necessary to obtain or maintain employment.

126 (c) Vehicles.—The program may provide assistance for
127 repairs or short-term rentals required to maintain the primary
128 vehicle of a servicemember's family in a safe operating
129 condition. If a repair will not restore the primary vehicle to a

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130 safe operating condition, or if there is no vehicle, assistance
131 with the purchase of a vehicle may be provided if such a vehicle
132 is necessary.

133 (d) Health care.—The program may provide assistance for
134 services that are documented by a medical authority as necessary
135 for the health and welfare of the individual. Assistance is not
136 available for elective procedures or medical care that is
137 covered by insurance.

138 (e) Other services.—The program may provide assistance for
139 a service or expense that is not specifically enumerated in this
140 subsection if the service or expense is reasonable under the
141 circumstances.

142 (4) ELIGIBILITY.—Persons eligible for assistance from the
143 program include:

144 (a) Servicemembers who are members of the Florida National
145 Guard who are:

146 1. On active duty serving in the Global War on Terrorism
147 or Overseas Contingency Operation or who request assistance
148 within 120 days after the termination of orders for such service
149 and return to their home of record.

150 2. Deployed by the Federal Government and participating in
151 state operations for homeland defense or request assistance
152 within 120 days after the termination of orders for such service
153 and return to their home of record.

154 (b)1. Beneficiaries of an eligible servicemember
155 designated on United States Department of Defense Form 93.

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156 2. Individuals demonstrating a financial need for
157 authorized assistance who are dependents or family members of an
158 eligible servicemember.

159 (5) REQUESTS FOR ASSISTANCE; REVIEW; AWARDS.-

160 (a) A request for assistance shall be reviewed and
161 processed at the local level by an official designated by the
162 Adjutant General. During the initial review and processing of
163 the request, the Department of Military Affairs may accept
164 assistance from the direct-support organization. Final review
165 and approval of requests for assistance shall be made by the
166 Department of Military Affairs.

167 (b) Requests for assistance shall be reviewed and
168 evaluated based on the following criteria:

169 1. The impact of a servicemember's absence and inability
170 to assist in home and vehicle repairs or meet other family
171 needs;

172 2. The economic impact of deployment;

173 3. The overall financial situation of the applicant;

174 4. The assistance authorized under the program; and

175 5. Other relevant information.

176 (6) QUARTERLY FINANCIAL REVIEW.-The financial committee of
177 the board of directors of the direct-support organization shall
178 review financial transactions of the program each quarter. This
179 review shall be provided to the Department of Military Affairs
180 in order to determine whether the direct-support organization is
181 being operated in a manner that is consistent with the purposes
182 of the Soldiers and Airmen Assistance Fund, and in the best

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183 interests of the department. The financial committee may request
184 the Office of Inspector General to conduct additional reviews.

185 (7) RULES.—The Department of Military Affairs may adopt
186 rules to administer this section.

187

188

189

190

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

191

192

Remove the entire title and insert:

193

An act relating to the direct-support organization for the

194

Department of Military Affairs; amending s. 250.115, F.S.;

195

authorizing the direct-support organization to support the

196

processing of requests in the Soldiers and Airmen Assistance

197

Program or similar programs; authorizing the president of the

198

direct-support organization to appoint all members of the board

199

of directors; requiring the direct-support organization to

200

operate pursuant to a contract with the Department of Military

201

Affairs; requiring the direct-support organization to submit its

202

annual budget and financial reports to the Department of

203

Military Affairs; creating s. 250.116, F.S.; creating the

204

Soldiers and Airmen Assistance Program; authorizing the program

205

to provide specified types of assistance to certain members of

206

the Florida National Guard and their families; providing for the

207

review of requests for assistance; requiring the financial

208

committee of the board of directors of the direct-support

209

organization for the Department of Military Affairs to review

210

the financial transactions of the program quarterly; authorizing

COUNCIL/COMMITTEE AMENDMENT

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211 the financial committee of the board of directors to request
212 additional reviews by the Office of Inspector General;
213 authorizing the Department of Military Affairs to adopt rules to
214 administer the Soldiers and Airmen Assistance Program; providing
215 an effective date.

216