

MCLFeb2018

Dear Commandant LaMont

Attached is the Liaison Report for February. There is under two weeks left in the 2018 Session, so my next regular report will probably be a “Session Wrap-Up”, with a possible follow-up after the Governor signs the final budget.

Budget

As we go to press, the House and Senate are in the middle of the budget conference process. Both ends of the Hall have passed their respective budgets. Both have received each other’s package and agreed to disagree, setting up the formal “conference” process. The revenue estimates for the coming fiscal year initially gave the Legislature a few more dollars to allocate, but a more recent estimate reduced that number. Additionally, in the wake of the recent school shooting in South Florida, the Legislature is looking at diverting a significant number of dollars to school safety. Since, by state Constitution, we must have a “balanced” budget (no deficit spending), this may divert revenue originally going to other projects. The budget conference process will adopt a number of different subcommittees with “silos” of money allocated for the various categories. They will then go through a process of give and take between the subcommittee participants from each end of the Hall. Those issues that cannot be resolved will be “bumped up” to the chairmen of the full committee. Any further unresolved issues will be “bumped” to the Speaker of the House and the President of the Senate. Over the past three months, I have outlined some of the vet-friendly budget requests that we hope will make the final cut. However, if history is any guide, we won’t know what is in the final product until the last week of Session, when the conference committee report is issued and, after a constitutionally-mandated “cooling-off period, is finally passed. Even then, the budget process is not finalized because the Governor has “line-item veto” authority to eliminate specific line item with which he disagrees. Once the process is finished and approved, I will do a final update on what passed and what didn’t.

Bills Followed

Over the past few months I have reported upon a number of veterans bills of interest. With the end of the Session less than two weeks away, we are entering into what I often refer to as “the real Session”. That is the time where bills that have yet to move through the committee process and those bills that have no “companion” bills at the opposite end of the Hall are in danger of failing. It is also the time where issues that are seemingly dead are saved as an amendment to a bill that is moving.

In this segment of my report, I will attempt to divide the previously reported-upon bills into two categories: (1) those that are still in play and (2) those on life support that are probably dead. Those last bills (life support and dead) may still find last-minute rides as amendments to other

bills, but time is running out for them. Also, in this report I will introduce the term “Special Order Calendar”. This is the list of bills that are up for debate on the floor of the House & Senate on a given day. Once they are debated and, perhaps amended, they move to what is known as “Third Reading”, where they will be voted on for final passage out of either the House or Senate. Also remember, in order to pass and be sent to the Governor for final approval, the same bill, in identical form, must pass both the House and Senate. If the House bill passes the House and its companion bill passes the Senate, it will not be sent to the Governor until one or the other passes both bodies.

Bills Still In Play

SB 440 by Sen. Garcia and 12 others—passed out of the Senate Appropriations Committee on February 22nd and is on the Senate Special Order Calendar for debate on February 27th. The bill creates the Florida Veterans Care Program within the Agency for Health Care Administration (AHCA), to provide veterans and their families an alternative for health care that is operated similar to or through the Medicaid managed care program. The bill authorized AHCA, in conjunction with the Florida Department of Veterans’ Affairs, to seek and negotiate a federal waiver or state plan amendment to the Medicaid program, or other federal authorization necessary to implement the program. If enacted, participation by Florida veterans and their families is voluntary. Benefits and services provide through the program must meet or exceed those provided in the Medicaid program. Once negotiated, the plan would still need legislative approval before it could be implemented. Since the bill’s House companion, HB 403 by Reps. Avila & Burgess, had yet to be heard in any House committee, it appeared to be dead. However, last week Sen. Garcia held a press conference to talk about the benefits of the bill. MCL Detachment 472 had members in attendance to support the bill. At the Appropriations Committee, Detachment 472 stood in support of the bill and it passed the committee and was placed on the Special Order Calendar for debate. Normally, if a bill’s companion has not been heard at the other end of the hall, there is little hope for passage this late in the session. However, the bill does appear to have some momentum, so it still has a chance for passage.

CS/HB 603 by Reps. Gonzales, Fant, and others--passed out of the House Government Accountability Committee on February 22nd and is now on the General Calendar of the full House awaiting the arrival of its Senate companion bill. It creates an exemption from local business taxes for honorably discharged veterans and their spouses, unmarried surviving spouses of such veterans, spouses of certain active duty military servicemembers, as well as certain low-income persons. The bill sets forth the procedure for obtaining the exemption and allows cities that currently impose a gross receipts tax to continue the process. See the bill for details. The bill also removes the \$1 or \$2 fee a veteran must pay to have the word “veteran” displayed on an identification card or driver’s license issued by the DHSMV. It also provides for additional ID to be used to establish veteran status when applying for the above designations. Finally, the bill prohibits county tax collectors from charging a veteran the \$6.25 service fee for driver license services upon presentation of specified documentation proving an individual is a

veteran. On the Senate side, its companion bill, SB 100 by Sen. Steube, has passed all of its committees and is on the Senate Special Order Calendar for February 27th. At present, it does not contain the business tax portion of the House bill. It may be added on the 27th. Stay tuned.

CS/CS/CS/HB 1073 by Rep. Hager—passed all of its committees and is on the Special Order Calendar of the House for February 28th. There are a number of lengthy amendments already filed for the bill, so at the present time we don't know if the "veteran friendly" provisions listed below will survive the final cut. But, at present, buried in this 60-plus insurance "clean-up" bill are three issues of important to veterans. The first amends s.497.168, providing that a member of the U. S. Armed Forces or a veteran who was honorably discharged within the 24 month period before the initial application for licensure under Chapter 497 relating to cemetery operators, shall be exempt from the initial application fee. See section 9 of the bill. It amends s. 626.202 to waive the fingerprint requirement for armed forces members and honorably discharged veterans seeking an insurance agent license, subject to the same 24-month time frame above. The applicant shall provide some listed military documentation, such as form DD 214. See section 20 of the bill for details. Note, however, that language in CS/CS SB 1884, reported on below seems to delete this provision. Finally, the bill amends s. 633.416 to allow a fire service provider to employ veterans who were honorably discharged and who received training while in the military equivalent to the requirements for hiring. The veteran must obtain a Firefighter Certificate of Compliance within 24 months after employment. These changes are aimed at easing transition of veterans from military into civilian life. Its Senate companion, CS/CS/CS/SB 1292 by Sen. Stargel—has passed all of its committees and is on the General Calendar of the Senate awaiting the arrival of the House bill. We will report further in a post-session final report.

CS/CS/HB 553 by Rep. Raburn—has passed all of its committees and is on the General Calendar of the House. The bill codifies several agricultural, consumer services, and licensing activities under Florida's Department of Agriculture & Consumer Services. Buried in the 124+ page bill is a licensing provision that may be of interest. It allows military veterans to utilize military firearms instructor status when applying for professional firearms license instructor Class "K" licenses. The applicant must have a Form DD 214 or other official military documentation. The documentation must be issued within three years of licensure application and must show that the applicant was honorably discharged and served as a military firearms instructor within the last three years. Its Senate companion, CS/CS/SB 740 by Sen. Stargel, passed out of the Senate Appropriations Committee on February 22nd, its last committee of reference. It is now on the General Calendar of the House. It is not clear at this time which end of the Hall will move first, but final passage looks promising.

CS/HB 29 by Reps. Ponder & Renner and 32 others—passed the full House on February 14th with a vote of 115-0. It is now in the possession of the Senate. It is a 92-page bill that, like the above HB 1073, makes special allowances for military members, veterans, and their spouses applying for licenses in a variety of professions. It appears to be the omnibus bill bringing

together various special rules for those who served our country. The provisions are too numerous to list here and one should see the actual bill text for details. A number of Senate bills have some, or all of the House positions, so it is not possible at this time to determine which bills will be the final product. However, CS/SB 1884, reported on below appears to be the one in play.

CS/SB 1884 by Sens. Broxson & Passidomo—passed out of the Senate Appropriations Committee on February 22nd, and is headed to the Senate floor. It appears to be the Senate’s omnibus bill relating to veterans. Like HB 29, above, it makes numerous changes aimed at easing licensing fees and requirements for certain military members, veterans, and their spouses. The original bill makes numerous changes, some of which were changed during the committee process. As amended in its final committee, the Senate bill:

- Allows members of the Veterans Florida board of directors to serve two four-year terms.
- Makes changes to Veterans Florida’s training grant program and veteran entrepreneurship initiative program.
- Deletes provisions in the original version of the bill waiving fingerprint requirements for certain veterans applying for funeral and cemetery, insurance, or fire safety-related licenses.
- Revises the bill’s waiver of pre-licensure coursework requirements for insurance license applicants to include current members of the U.S. Armed Forces and their spouses.
- Removes the waiver of pre-licensure coursework requirements in those instances where the coursework is the only knowledge acquisition/demonstration element prior to receiving an insurance license.
- Deletes the proposed extension of time prior to reexamination for two fire safety-related licenses for licensees eligible for an “inactive” status.
- Provides a method for servicemembers or veterans to certify their knowledge, training, and experience to gain credit in licensing for funeral directing, embalming, and direct disposing.
- Clarifies provisions relating to firefighter certification retention for veterans and their spouses.
- Clarifies the living and incidental fees that may be waived for servicemembers, veterans, and their spouses attending the Florida Fire College.
- Removes the proposed waiver in the original bill for teacher certification renewal fees.

As you can tell, the bills change during the legislative process, so the best way of finding out the final provisions, is to wait until the bill passes and is signed into law by the Governor.

CS/SB 1450 by Sen. Steube--passed out of the Senate Appropriations Subcommittee on Transportation, Tourism & Economic Development on February 14th. It provides that eligible job training organizations may receive up to a 10 percent refund on the sales tax remitted to

the Department of Revenue in the prior state fiscal year on sales of goods donated to the business. It provides that the refunds must be used towards, among other things, job training and employment services for veterans. The refunds are granted on a first-come, first-served basis and limits the total refund to no more than \$2 million per state fiscal year. It has one more stop in the full Appropriations Committee before going to the floor. See the bill for details. Its companion, HB 1231 by Rep. Trumbull—passed out of the House Careers & Competition Subcommittee on January 23rd, but has not move since then.

CS/HB 333 by Rep. Burgess & 16 others—passed the full House on February 14th with a vote of 109-1. It adds an exemption to the 770 hour long basic recruit training program for becoming a law enforcement officer in Florida for an applicant who has served in the special operations forces of the U.S. military for at least five years, provided that there is no more than a 4-year break from the applicant’s special operations forces experience at the time of application. The bill defines “special operations forces” to include:

- Servicemembers of the Army’s 75th Ranger Regiment;
- Navy SEALs and Special Warfare-Craft Crewmen;
- Air Force Combat Control, Pararescue, and Tactical Air Control Party Specialists;
- Marine Corps Critical Skills Operators; and
- Any other component of the Special Operations Command approved by the Commission.

It allows the Criminal Justice Standards & Training Commission within the Florida Department of Law Enforcement to require an exempt applicant to undergo additional training as it deems necessary, based on the applicant’s prior training and experience. Its Senate companion, CS/CS/SB 470 by Sen. Stargel, passed out of the Appropriations Committee on February 15th and is headed for the floor. Final passage of the House version is likely.

SB 1424 by Sen. Gainer—passed out of the Senate Appropriations Committee on February 15th and was placed on the General Calendar of the Senate. It expands the eligibility criteria for individuals who may participate in a military veterans’ and servicemembers’ court program (veterans’ courts). It eliminates the current requirement that a veteran be honorably or generally discharged. Instead, the bill provides that any veteran discharged or released under any condition is eligible to participate in a veteran’s court. Additionally, the bill expands participation eligibility to current or former U.S. defense contractors and current or former military members of a foreign allied country. It is effective October 1, 2019 and, at present, has no direct House companion.

Bills on Life Support or Probably Dead

HB 457 by Reps. Jacobs & Moraitis—passed out of the House Transportation & Infrastructure Subcommittee on January 23rd. It authorizes the Florida Department of Transportation to

install directional signs for U. S. Department of Veterans Affairs operated and maintained community-based outpatient clinic centers, benefits offices, and national cemeteries on the rights-of-ways of interstate highways and primary and secondary roads in accordance with Florida's Highway Guide Sign Program. There is an estimated 100 such facilities in Florida. It has not been heard since that time and its companion bill, SB 718 by Sen. Farmer has yet to be heard. While it could be picked up as an amendment during the last two weeks of session, it is probably dead.

HB 303 by Reps Burges & White, plus 16 others—passed out of the House Health Innovation Subcommittee on January 23rd, but has not been heard since then. It creates the Alternative Treatment Options for Veterans Pilot Program. It requires the Florida department of Veterans Affairs to contract with one or more individuals, non-profit corporations, state universities, or the Florida College system Institutions for a period of two years to provide alternative treatment options for veterans who have been certified by the VA, or any branch of the U. S. Armed Forces, as having a traumatic brain injury (TBI) or post-traumatic stress disorder (PTSD). Its Senate companion bill, SB 82 by Senator Steube, has yet to be heard. While there is always a possibility that the bill could break loose during the last two weeks, or be amended on to another bill, the chances don't look promising.

HB 1253 by Rep. Moskowitz—creates a new S. 295.055, entitled "Veterinary Care for Retired Military Working Dogs Program" within the Department of Veterans' Affairs, to provide a stable funding source for vet care provided to retired military working dogs, adopted pursuant to 10 U.S.C. s. 2583.. It is funded with \$300,000 for the first year and limits the cost of covered care to a lifetime maximum of \$10,000 per dog. It provides criteria for eligibility & benefits for the program. According to the bill's sponsor, he doesn't want some veterans, after they come home, to have to choose between the rent and taking care of their animals. At this time, it has no Senate companion bill. As an aside, HB 1257 by Rep. Moskowitz and SB 1488 by Sen. Rouson provide that damages may be assessed against any person found liable for negligently or intentionally causing serious injury to, or the death of a domestic companion animal, police animal, or service animal. With less than two weeks left in the 2018 Session, both bills are likely dead for the year.

Other Issues

Over the past few reports, we have also mentioned a number of budget requests for local veteran's courts and local health care facilities. They will be decided in the budget conference process and it is premature to list them here. Instead, when the final budget is approved by the Governor, we will do our best to list all that made the cut.