

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**  
**MILITARY AFFAIRS, SPACE, AND DOMESTIC SECURITY**  
**Senator Altman, Chair**  
**Senator Hill, Vice Chair**

**MEETING DATE:** Wednesday, March 23, 2011  
**TIME:** 3:15 —5:15 p.m.  
**PLACE:** Mallory Horne Committee Room, 37 Senate Office Building

**MEMBERS:** Senator Altman, Chair; Senator Hill, Vice Chair; Senators Bennett, Bullard, Jones, Sachs, and Storms

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 850</b> Hays (Compare H 663)	State Forests; Provides for Wounded Warrior special hunt areas for certain disabled veterans. Provides for funding. Provides eligibility requirements.	MS 03/23/2011 EP BC
2	<b>SB 904</b> Dean (Identical H 431)	Driver's Licenses and Identification Cards; Requires that the application form for an original, renewal, or replacement driver's license or identification card include an option to make a voluntary contribution to Disabled American Veterans, Department of Florida. Provides that such contributions are not income of a revenue nature.	MS 03/23/2011 TR BC
3	<b>SB 1110</b> Dean (Similar H 829)	40th Anniversary/U.S. End of Involvement/Vietnam; Designates March 25 annually as "Vietnam Veterans' Day." Requires the Department of Veterans' Affairs to administratively promote and support the efforts of counties, municipalities, and veterans' organizations that voluntarily hold special community events commemorating the 40th anniversary of the end of the United States' involvement in the Vietnam War and subsequent observances of Vietnam Veterans' Day. Creates the Vietnam Veterans license plate, etc.	MS 03/23/2011 CA BC
4	<b>SB 1214</b> Altman	School-aged Dependents of Military Personnel; Requires that a school board provide an option to school-aged dependents of military personnel to choose certain schools if the student is reassigned as a result of school rezoning.	MS 03/23/2011 ED BC

**COMMITTEE MEETING EXPANDED AGENDA**

Military Affairs, Space, and Domestic Security  
Wednesday, March 23, 2011, 3:15 —5:15 p.m.

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TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
5	<b>SB 1502</b> Simmons (Identical H 1141)	Ad Valorem Tax Exemption/Deployed Servicemembers; Provides for certain servicemembers who receive a homestead exemption and who are deployed in a military operation designated by the Legislature to receive an additional ad valorem tax exemption. Requires that a servicemember apply to the property appraiser to receive the exemption in the year following the year of a qualifying deployment. Requires the Secretary of the Senate and the Clerk of the House of Representatives to transmit a copy of a concurrent resolution designating qualifying military operations to the Department of Revenue, etc.  MS 03/23/2011 CA BC	
6	<b>CS/SB 1228</b> Health Regulation / Altman (Compare H 1319, S 1812)	Certificates/Licenses/Health Care Practitioners; Provides for issuance of a temporary license to specified health care practitioners who are spouses of active duty members of the Armed Forces under certain circumstances. Provides for criminal history checks. Provides fees. Provides for expiration of a temporary license. Requires a person who is issued a temporary license to be subject to certain general licensing requirements. Names the temporary certificates issued to physicians who practice in areas of critical need after Rear Admiral LeRoy Collins, Jr., etc.  HR 03/14/2011 Fav/CS MS 03/23/2011 BC	
7	Presentation by Raindrop Cisterns		

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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Military Affairs, Space, and Domestic Security Committee

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BILL: SB 850

INTRODUCER: Senator Hays

SUBJECT: State Forests

DATE: March 22, 2011

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fleming	Carter	MS	<b>Pre-meeting</b>
2.	_____	_____	EP	_____
3.	_____	_____	BC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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**I. Summary:**

This bill requires the Division of Forestry of the Department of Agriculture and Consumer Services to designate “Wounded Warrior special hunt areas” on state forest lands to provide hunt areas for disabled veterans.

This bill substantially amends section 589.19 of the Florida Statutes.

This bill has an effective date of July 1, 2011.

**II. Present Situation:**

The Division of Forestry (division) of the Department of Agriculture and Consumer Services (DACS) manages and administers all state forests in the interests of the public.<sup>1</sup> The division is authorized to direct multiple-use management of forest lands owned by the state. Such use includes, but is not limited to, water-resource protection, forest-ecosystems protection, natural-resource-based low-impact recreation, and sustainable timber management for forest products.<sup>2</sup> Furthermore, the division cooperates with federal, state, and local government agencies, non-profit organizations, and other persons to apply for, solicit, and receive grants and funds from those agencies, organizations, firms and individuals.<sup>3</sup>

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<sup>1</sup> Section 589.21, F.S.

<sup>2</sup> Section 589.04(4), F.S.

<sup>3</sup> Section 589.04(1)(B), F.S.

There are 35 state forests in Florida, totaling more than 1,052,000 acres.<sup>4</sup> Under the direction of the Fish and Wildlife Conservation Commission, many state forests are open to regulated hunting and fishing.<sup>5</sup> Hunting requires a license and permit and is allowed only in designated Wildlife Management Areas (WMAs) during specific seasons.<sup>6</sup> Fishing also requires a valid license.<sup>7</sup>

Non-profit organizations such as Wounded Warrior Outdoors, Inc.<sup>8</sup> and Wounded Warriors In Action<sup>9</sup> provide wounded servicemen and servicewomen with opportunities for outdoor recreational activities. In the past, such activities have included hunting and fishing excursions in various parts of the country. The organizations assert that such activities are therapeutic and an important part of physical and mental recovery.

Currently, the division provides a hunting area in Lake Wales Ridge State Forest for a nearby “Wounded Warrior” organization. The hunts typically last for a weekend or several days and include special accommodations as needed by the wounded warriors, such as turkey blinds with space for operation of a motorized wheelchair.

### **III. Effect of Proposed Changes:**

This bill amends s. 589.19, F.S., to require the division to designate “Wounded Warrior special hunt areas” on state forest lands to provide hunt areas for disabled veterans. A person is eligible to hunt in a Wounded Warrior special hunt area if he or she is a veteran as defined in s. 1.01, F.S., or has eligible peacetime service, as defined in s. 296.02, F.S., and has a service-connected disability as determined by the United States Department of Veterans Affairs or has been discharged or released from military service because of a disability incurred or aggravated in the line of duty. In addition, persons required to assist the veteran because of his or her disability are authorized to use such areas.

This bill provides that the funding required for specialized accommodations shall be provided through Friends of Florida State Forests (FFSF) created in s. 589.012, F.S. FFSF is a charitable not-for-profit corporation that supports programs within Florida's state forests and is governed by a board of directors representing all areas of the state.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

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<sup>4</sup> *State Forests in Florida*, DIVISION OF FORESTRY, [http://www.fl-dof.com/state\\_forests/#history](http://www.fl-dof.com/state_forests/#history) (last visited March 21, 2011).

<sup>5</sup> *State Forest Recreation*, DIVISION OF FORESTRY, [http://www.fl-dof.com/forest\\_recreation/index.html](http://www.fl-dof.com/forest_recreation/index.html) (last visited March 21, 2011).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> ABOUT WWO INC., <http://www.woundedwarrioroutdoors.com/about.html> (last visited March 21, 2011).

<sup>9</sup> ABOUT WWIA, <http://www.woundedwarriorsinaction.org/about.html> (last visited March 21, 2011).

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Friends of Florida State Forests would fund specialized accommodations needed in the Wounded Warrior special hunt areas.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Military Affairs, Space, and Domestic Security Committee

BILL: SB 904

INTRODUCER: Senator Dean

SUBJECT: Driver's licenses and identification cards

DATE: March 22, 2011

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fleming	Carter	MS	<b>Pre-meeting</b>
2.			TR	
3.			BC	
4.				
5.				
6.				

**I. Summary:**

This bill creates a new \$1 check-off on driver's license applications for the Disabled American Veterans. Specifically, the bill amends s. 322.08, F.S., to require driver's license applications and renewals to include a \$1 voluntary contribution to Disabled American Veterans, Department of Florida, a non-profit 501(c)(3) organization.

This bill substantially amends section 322.08 of the Florida Statutes.

This bill has an effective date of July 1, 2011.

**II. Present Situation:**

**Driver's License Check-offs**

Section 322.081, F.S., provides the procedures that an organization must follow prior to seeking legislative authorization to request the creation of a new voluntary trust fund fee and establish a corresponding voluntary check-off on a driver's license application. The check-off allows a person applying for or renewing a Florida driver's license to voluntarily contribute to one or more of the authorized voluntary trust funds during the driver's license transaction. Before the organization is eligible, it must submit the following to the Florida Department of Highway Safety and Motor Vehicles (DHSMV) at least 90 days before the convening of the regular session of the Legislature:

- A request for the particular voluntary contribution being sought, describing it in general terms.

- An application fee of up to \$10,000 to defray the DHSMV's costs for reviewing the application and developing the check-off, if authorized. State funds may not be used to pay the application fee.
- A short- and long-term marketing strategy and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contribution.

Once a contribution is enacted, the DHSMV must discontinue the check-off if less than \$25,000 has been contributed by the end of the fifth year, or if less than \$25,000 is contributed during any subsequent 5-year period.<sup>1</sup>

Prior to the 2010 legislative session, s. 322.08, F.S., authorized seven voluntary contributions while s. 322.18(19), F.S., authorized an eighth. In 2010, the Florida Legislature enacted three bills that addressed driver's license contributions:

- 2010 HB 971 (ch. 2010-223, Laws of Florida) added two additional check-offs for the League Against Cancer and the State Homes for Veterans Trust Fund administered by the Florida Department of Veterans Affairs.
- 2010 HB 399 (ch. 2010-86, Laws of Florida) added three additional check-offs for Senior Vision Services, The Arc of Florida, and Ronald McDonald House Charities of Tampa Bay.
- 2010 HB 263 (ch. 2010-82, Laws of Florida) added an additional check-off for Lauren's Kids, Inc.<sup>2</sup>

In addition to creating the League Against Cancer and State Homes for Veterans check-offs, ch. 2010-223, Laws of Florida, established a moratorium on new voluntary check-offs. DHSMV "may not establish any new voluntary contributions on the motor vehicle registration application form under s. 320.023, Florida Statutes, or the driver's license application form under s. 322.081, Florida Statutes, between July 1, 2010, and July 1, 2013."

An exemption to the moratorium in ch. 2010-223, Laws of Florida, allows those charities that were in the process of complying with s. 322.081, F.S., in 2010 to continue to seek a check-off. DHSMV has identified five charitable organizations that fall within the exemption from the moratorium. Disabled American Veterans, Department of Florida is one of these charities.<sup>3</sup>

### **Disabled American Veterans, Department of Florida**

The Disabled American Veterans (DAV) was founded in 1920 and is dedicated to building better lives for America's disabled veterans and their families. The DAV provides assistance to disabled veterans through its 72 offices in the United States and Puerto Rico with over 270 National Service Officers. The DAV, Department of Florida's headquarters is located in Micanopy, Florida, and provides a broad range of services to disabled veterans including

<sup>1</sup> Section 322.081(4)(a), F.S.

<sup>2</sup> In addition to creating the check-off for Lauren's Kids, Inc., ch. 2010-82, Laws of Florida, streamlined the application process by eliminating s. 322.18(19), F.S., and clarifying that the check-offs required in s. 322.08(7), F.S., must appear on all license applications, including applications for renewal or replacement. This change reflects the fact that DHSMV uses a single application form for all such purposes.

<sup>3</sup> Letter from DHSMV Executive Director Julie L. Jones to the Florida House of Representatives, Transportation and Highway Safety Subcommittee, January 19, 2011.

providing consultation on U.S. Department of Veteran Affairs benefits, compensation, and healthcare as well as assisting veterans in assembling evidence to support benefit claims. DAV's operations are solely supported from the collection of donations and dues.<sup>4</sup>

### III. Effect of Proposed Changes:

This bill amends s. 320.08, F.S., to require driver's license applications and renewals to include a \$1 check-off to the Disabled American Veterans, Department of Florida, a non-profit 501(c)(3) organization.

The DHSMV has provided notice that Disabled American Veterans, Department of Florida, has complied with s. 322.081, F.S., regarding requests to establish a voluntary check-off, by submitting its letter of request, \$10,000 application fee, and approved short- and long-term marketing plans.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

#### B. Public Records/Open Meetings Issues:

None.

#### C. Trust Funds Restrictions:

None.

### V. Fiscal Impact Statement:

#### A. Tax/Fee Issues:

None.

#### B. Private Sector Impact:

Motorists who decide to donate would pay an additional dollar to acquire or renew a driver's license.

#### C. Government Sector Impact:

The bill will require programming modifications to DHSMV's Driver License and Motor Vehicle Information Systems, the cost of which will be paid from the \$10,000 application fee submitted by the Disabled American Veterans, Department of Florida.

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<sup>4</sup>Information summarized from: Disabled American Veterans, Department of Florida Website. *About Us*. Available at: [http://www.davmembersportal.org/fl/Web\\_Pages/about\\_us.aspx](http://www.davmembersportal.org/fl/Web_Pages/about_us.aspx) (Site last accessed March 22, 2011.)

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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LEGISLATIVE ACTION

Senate	.	House
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The Committee on Military Affairs, Space, and Domestic Security (Storms) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Paragraph (v) is added to subsection (1) of section 683.01, Florida Statutes, to read:

683.01 Legal holidays.—

(1) The legal holidays, which are also public holidays, are the following:

(v) The 40th anniversary of the end of United States' involvement in the Vietnam War, March 25, 2013.

Section 2. Section 683.025, Florida Statutes, is created to



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13 read:

14 683.025 Vietnam Veterans' Day; 40th anniversary of end of  
15 United States' involvement in Vietnam War.-

16 (1) In recognition of the historical significance of the  
17 40th anniversary of the end of United States' involvement in the  
18 Vietnam War, March 25, 2013, shall be observed as the 40th  
19 anniversary of the end of United States' involvement in the  
20 Vietnam War. The day shall be suitably observed for the purpose  
21 of providing opportunities throughout the state to demonstrate  
22 and express appreciation for the honorable service and sacrifice  
23 of veterans who served in the United States Armed Forces during  
24 the Vietnam Era and shall otherwise be suitably observed by such  
25 public exercises in the State Capitol and elsewhere as the  
26 Governor may designate and as provided by rules of the  
27 Department of Veterans' Affairs adopted under s. 292.075.

28 (2) Commencing on March 29, 2014, the Governor shall  
29 proclaim March 29 of each year to be "Vietnam Veterans' Day,"  
30 which day shall be suitably observed throughout the state as a  
31 day honoring the veterans who served in the United States Armed  
32 Services during the Vietnam Era, and which day shall otherwise  
33 be suitably observed by such public exercises in the State  
34 Capitol and elsewhere as the Governor may designate and as  
35 provided by rules of the Department of Veterans' Affairs adopted  
36 under s. 292.075. If in any calendar year March 29 falls on a  
37 day which is not a school day, "Vietnam Veterans' Day" shall be  
38 observed in the schools on the school day next preceding or on  
39 such preceding day as may be designated by local school  
40 authorities.

41 (3) The purpose of Vietnam Veterans' Day is to provide a



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42 proper demonstration of appreciation for the honorable service  
43 and sacrifice of veterans who served in the United States Armed  
44 Forces during the Vietnam Era.

45 Section 3. Section 292.075, Florida Statutes, is created to  
46 read:

47 292.075 Vietnam Veterans' Day; commemoration of 40th  
48 anniversary of the end of United States' involvement in the  
49 Vietnam War.—

50 (1) The department shall administratively promote and  
51 support the efforts of counties, municipalities, and bona fide  
52 veterans' organizations that voluntarily hold special community  
53 events commemorating:

54 (a) The 40th anniversary of the end of the United States'  
55 involvement in the Vietnam War on March 25, 2013, as provided in  
56 s. 683.025(1).

57 (b) Vietnam Veterans' Day, commencing on March 29, 2014,  
58 and observed on March 29 annually thereafter, as provided in s.  
59 683.025(2).

60  
61 Such events shall include, but not be limited to, parades or  
62 ceremonies held on those dates.

63 (2) The department shall adopt rules for the:

64 (a) Solicitation of private donations to fund grants to  
65 counties, municipalities, and bona fide veterans' organizations  
66 that voluntarily hold commemorative activities contemplated by  
67 this section and s. 683.025 for the purpose of reviewing and  
68 making recommendations with respect to such activities and major  
69 expenditures of private funds raised in support thereof.

70 (b) Creation of a special volunteer advisory board,



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71 consisting of Vietnam veterans who are residents of the state,  
72 for the purpose of reviewing and making recommendations with  
73 respect to the activities contemplated by this section and s.  
74 683.025 and major expenditures of private funds raised in  
75 support thereof.

76 Section 4. Paragraph (aaaa) is added to subsection (4) of  
77 section 320.08056, Florida Statutes, to read:

78 320.08056 Specialty license plates.—

79 (4) The following license plate annual use fees shall be  
80 collected for the appropriate specialty license plates:

81 (aaaa) Vietnam Veterans license plate, \$25.

82 Section 5. Subsection (79) is added to section 320.08058,  
83 Florida Statutes, to read:

84 320.08058 Specialty license plates.—

85 (79) VIETNAM VETERANS LICENSE PLATE.—

86 (a) The department shall develop a Vietnam Veterans license  
87 plate as provided in this section. Vietnam Veterans license  
88 plates must bear the colors and design approved by the  
89 department. The word "Florida" must appear at the top of the  
90 plate, and the words "Vietnam Veterans" must appear at the  
91 bottom of the plate.

92 (b) The license plate annual use fees must be deposited in  
93 the Operations and Maintenance Trust Fund of the Department of  
94 Veterans' Affairs. All such moneys are to be administered by the  
95 direct-support organization of the Department of Veterans'  
96 Affairs created under s. 292.055, the Florida Veterans'  
97 Foundation, and must be used solely for the purposes of:

98 1. Funding grants to counties, municipalities, and bona  
99 fide veterans' organizations for activities related to the



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100 initial observance of "Vietnam Veterans' Day," on March 25,  
101 2013, the 40th anniversary of the end of United States'  
102 involvement in the Vietnam War;

103 2. Expenditures related to the annual observance of Vietnam  
104 Veterans' Day in years subsequent to 2013; and

105 3. The continuing promotion and marketing of the license  
106 plate, subject to the requirements of chapter 216.

107 Section 6. This act shall take effect July 1, 2011.

108  
109 ===== T I T L E A M E N D M E N T =====

110 And the title is amended as follows:

111 Delete everything before the enacting clause  
112 and insert:

113 A bill to be entitled  
114 An act relating to commemoration of the 40th  
115 anniversary of the end of the United States'  
116 involvement in the Vietnam War; amending s. 683.01,  
117 F.S.; designating March 25, 2013, the 40th anniversary  
118 of the end of the United States' involvement in the  
119 Vietnam War, as a legal holiday; creating s. 683.025,  
120 F.S.; designating a date for the observance of the  
121 anniversary; providing for the annual observance of  
122 "Vietnam Veterans' Day," commencing on a specified  
123 date; specifying purpose of the observance; creating  
124 s. 292.075, F.S.; requiring the Department of  
125 Veterans' Affairs to administratively promote and  
126 support the efforts of counties, municipalities, and  
127 veterans' organizations that voluntarily hold special  
128 community events commemorating the 40th anniversary of



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129 the end of the United States' involvement in the  
130 Vietnam War and subsequent observances of Vietnam  
131 Veterans' Day; authorizing solicitation of private  
132 donations to fund grants to counties, municipalities,  
133 and veterans' organizations that voluntarily hold  
134 activities in support of such commemoration; providing  
135 for rulemaking of the department; providing for the  
136 creation of a special volunteer advisory board to the  
137 department for the purpose of reviewing and making  
138 recommendations with respect to activities and  
139 expenditures of private funds raised in support of  
140 such commemoration; amending ss. 320.08056 and  
141 320.08058, F.S.; creating the Vietnam Veterans license  
142 plate; establishing an annual use fee for the plate;  
143 providing for the distribution of use fees received  
144 from the sale of such plates; providing an effective  
145 date.

146  
147 WHEREAS, March 29, 2013, marks the 40th anniversary of the  
148 end of United States' involvement in the Vietnam War, and

149 WHEREAS, because March 29, 2013, falls on Good Friday, an  
150 existing legal holiday, March 25, 2013, has been designated as  
151 the date on which the 40th anniversary of the end of the United  
152 States' involvement in the Vietnam War is to be commemorated in  
153 the State of Florida, and

154 WHEREAS, it is the intent of this act to provide  
155 legislative direction and support for recognition of the  
156 importance of this event and to ensure the appropriate  
157 commemoration of this anniversary and proper demonstration of



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158 appreciation for the honorable service and tremendous sacrifice  
159 of veterans who served in the United States Armed Services  
160 during the Vietnam Era, NOW, THEREFORE,

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Military Affairs, Space, and Domestic Security Committee

BILL: SB 1110

INTRODUCER: Senator Dean

SUBJECT: Commemoration of the 40th Anniversary of U.S. involvement in the Vietnam War

DATE: March 22, 2011                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fleming	Carter	MS	<b>Pre-meeting</b>
2.			CA	
3.			BC	
4.				
5.				
6.				

**I. Summary:**

This bill establishes March 25 of each year to be “Vietnam Veterans’ Day” to be observed throughout the state as a day honoring the veterans who served in the United States Armed Services during the Vietnam Era. The recognition of “Vietnam Veterans’ Day” shall commence on March 25, 2013, the 40<sup>th</sup> anniversary of the end of the United States involvement in the Vietnam War. In addition, this bill:

- Directs the Florida Department of Veterans’ Affairs to administratively promote and support the efforts of counties, municipalities, and bona fide veterans’ organizations that voluntarily hold special community events commemorating “Vietnam Veterans’ Day;”
- Creates a special volunteer advisory board to make recommendations as to the activities conducted to commemorate “Vietnam Veterans’ Day;” and
- Directs the Florida Department of Highway Safety and Motor Vehicles to develop a “Vietnam Veterans” license plate.

This bill creates the following sections of the Florida Statutes: 683.025 and 292.075. This bill substantially amends the following sections of the Florida Statutes: 320.08056 and 320.08058.

This bill has an effective date of July 1, 2011.

**II. Present Situation:**

**Legal Holidays and Special Observance Days**

Chapter 683, F.S., establishes legal holidays and special observance days. Legal holidays and special observance days may apply throughout the state or they may be limited to particular

counties. For example, “Gasparilla Day”<sup>1</sup> is a legal holiday observed only in Hillsborough County, while “Bill of Rights Day,”<sup>2</sup> if issued by the Governor, is observed throughout the state. Also, designation of a day as a legal holiday does not necessarily make that day a paid holiday for public employees. Section 110.117, F.S., establishes which legal holidays are paid holidays for public employees.<sup>3</sup>

The legal holidays established in s. 683.01(1), F.S., are:

- (a) Sunday, the first day of each week.<sup>4</sup>
- (b) New Year’s Day, January 1.
- (c) Birthday of Martin Luther King, Jr., January 15.
- (d) Birthday of Robert E. Lee, January 19.
- (e) Lincoln’s Birthday, February 12.
- (f) Susan B. Anthony’s Birthday, February 15.
- (g) Washington’s Birthday, the third Monday in February.
- (h) Good Friday.
- (i) Pascua Florida Day, April 2.<sup>5</sup>
- (j) Confederate Memorial Day, April 26.
- (k) Memorial Day, the last Monday in May.
- (l) Birthday of Jefferson Davis, June 3.
- (m) Flag Day, June 14.
- (n) Independence Day, July 4.
- (o) Labor Day, the first Monday in September.
- (p) Columbus Day and Farmers’ Day, the second Monday in October.
- (q) Veterans’ Day, November 11.

### **Specialty License Plates**

The Florida Legislature created the first specialty license plate in 1986. Specialty license plates are available for an annual use fee to any owner or lessee of a motor vehicle. Annual use fees ranging from \$15 to \$25, paid in addition to required license taxes and service fees, are distributed to a specified organization in support of the particular cause or charity signified in the plate’s design and designated in statute. The Legislature may create a specialty license plate under its own initiative or it can do so at the request of an organization.

Section 320.08053, F.S., provides that an organization seeking authorization to establish a specialty license plate must submit the following.

<sup>1</sup> Section 683.08, F.S.

<sup>2</sup> Section 683.25, F.S.

<sup>3</sup> Section 110.117(1), F.S., provides the following holidays as paid holidays for all state branches and agencies: New Year’s Day; Martin Luther King Birthday; Memorial Day; Independence Day; Labor Day; Veteran’s Day; Thanksgiving Day and Friday after Thanksgiving; and Christmas Day.

<sup>4</sup> Sunday as a holiday has its origins in the Christian Sabbath or day of rest.

<sup>5</sup> “Pascua Florida” is a Spanish term that means *flowery festival* or *feast of flowers*. It usually refers to the Easter season, though, “Pascua” can, depending on the context, refer to the Jewish Passover, Easter, Christmas, Epiphany or Pentecost. See, <http://www.answers.com/topic/pascua-florida>. April 2 each year is designated as “Florida State Day” and is known as “Pascua Florida Day.” Juan Ponce de León called the land he encountered in 1513 “Pascua florida.” The holiday is to be observed in the same manner as a “patriotic occasion.”

- A request for the particular license plate with a description of the proposed plate in specific terms, including a sample plate conforming to the specifications set by the Department of Highway Safety and Motor Vehicles (DHSMV).
- The results of a scientific sample survey of Florida motor vehicle owners that indicates at least 30,000 motor vehicle owners intend to purchase the proposed specialty license plate at the increased costs. The Auditor General is required to validate the methodology, results, and any evaluation by the DHSMV of the scientific sample survey prior to the submission of the specialty license plate for approval by the Legislature.
- An application fee, not to exceed \$60,000, to defray the DHSMV's cost for reviewing the application and developing the specialty license plate, if authorized.
- A marketing strategy outlining both the short and long term marketing plans, and a financial analysis outlining the anticipated revenue and the planned expenditures of the revenue from the requested specialty license plate.

The required documentation and fees must be submitted at least 90 days before the convening of the next regular session of the Florida Legislature. If a specialty license plate is approved by law, the organization must submit a proposed art design for the specialty plate to the DHSMV no later than 60 days after the act becomes a law. If the specialty license plate is not approved by the Legislature, the application fee is refunded to the requesting organization.

In 2008, the Legislature passed SB 1992 (ch. 2008-176, Laws of Florida), which established a moratorium on the issuance of specialty plates by the DHSMV. The 2010 Legislature created chapter 2010-233, Laws of Florida, to extend the moratorium to July 1, 2014. The moratorium contains an exception "for [any] specialty license plate proposal which has submitted a letter of intent to the DHSMV prior to May 2, 2008" or "which was included in a bill filed during the 2008 Legislative Session."<sup>6</sup>

Section 320.08056, F.S., provides that the DHSMV is responsible for developing the specialty license plates and must begin production and distribution within one year after approval of the specialty license plate by the Legislature. Specialty license plates must bear the design required by law for the appropriate specialty plate, and the designs and colors must be approved by the DHSMV. In addition, the specialty license plate must bear the imprint of numerals from 1 to 999, inclusive, capital letters "A" through "Z," or a combination thereof.

The DHSMV is authorized to annually retain the first proceeds derived from the annual use fees collected in an amount sufficient to defray each specialty plate's pro rata (proportionate) share of the DHSMV's costs directly related to issuing the specialty license plate. A person wishing to purchase a specialty license plate must pay, in addition to the required license plate fee and license tax, a license plate annual use fee (from \$15 to \$25) and a processing fee of \$5.

Annual use fees and any interest earned from those fees may be used by the authorized organization for public or private purposes. However, the annual fees may not be used for commercial or for-profit activities or for general administrative expenses (except as specifically authorized or to pay the cost of the audit or report required to ensure the proceeds are used as authorized).

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<sup>6</sup> Section 21, ch. 2010-223, L.O.F.

Section 320.08058, F.S., lists the approved specialty license plates and specifies funding requirements.

Section 320.08062, F.S., requires all organizations receiving annual use fee proceeds from the DHSMV to be responsible for ensuring proceeds are used in accordance with ss. 320.08056 and 320.08058, F.S. Each organization is either subject to an audit or is required to annually attest, under penalties of perjury, that such proceeds were used correctly. The DHSMV can examine all records pertaining to the use of specialty license plate revenues.

### III. Effect of Proposed Changes:

**Section 1** creates s. 683.025, F.S., directing the Governor to proclaim March 25 of each year to be “Vietnam Veterans’ Day” to be observed throughout the state as a day honoring the veterans who served in the United States Armed Services during the Vietnam Era.<sup>7</sup> “Vietnam Veterans’ Day” is to commence on March 25, 2013, the 40<sup>th</sup> anniversary of the end of the United States involvement in the Vietnam War.

**Section 2** creates s. 292.075, F.S., directing the Florida Department of Veterans’ Affairs to administratively promote and support the efforts of counties, municipalities, and bona fide veterans’ organizations that voluntarily hold special community events commemorating “Vietnam Veterans’ Day” on March 25, 2013, and also in the years subsequent to 2013.

The bill directs the department to adopt rules to:

- Solicit private donations to fund grants to counties, municipalities, and bona fide veterans’ organizations that voluntarily hold commemorative “Vietnam Veterans’ Day” activities;
- Create a special volunteer advisory board, consisting of Vietnam veterans who are Florida residents, which will review and make recommendations as to the activities conducted to commemorate “Vietnam Veterans’ Day.”

**Section 3** amends s. 320.08056, F.S., to add the “Vietnam Veterans” license plate to the list of approved specialty license plates available in Florida and establishes an annual use fee of \$25 to acquire such license plate.

**Section 4** amends s. 320.08058, F.S., directing the DHSMV to develop a “Vietnam Veterans” license plate, in which the license plate annual use fees are to be deposited into the Florida Department of Veterans’ Affairs’ Operations and Maintenance Trust Fund. All such moneys are to be administered by the Florida Veterans’ Foundation,<sup>8</sup> and must be used solely for the purpose of:

- Funding grants to counties, municipalities, and bona fide veterans’ organizations for activities related to the initial observance of “Vietnam Veterans’ Day” on March 25, 2013;

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<sup>7</sup> The Vietnam War took place in the countries of Cambodia, Laos, and Vietnam from 1964 to 1973. Approximately 2.7 million American men and women served in Vietnam, in which 50,000 U.S. lives were taken as a result of combat-related deaths.

<sup>8</sup> The Florida Veterans’ Foundation is the direct-support organization of the Florida Department of Veterans’ Affairs created under s. 292.055, F.S.

- Expenditures related to the annual observance of “Vietnam Veterans’ Day” in years subsequent to 2013; and
- The continuing promotion and marketing of the “Vietnam Veterans” license plate.

According to the DHSMV, the “Vietnam Veterans” license plate sponsoring organization has not met the necessary application and fee requirements established by s. 320.08052, F.S., prior to May 2, 2008.

**Section 5** provides an effective date of July 1, 2011.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Persons choosing to purchase a “Vietnam Veterans” specialty license plate can do so for a charge of \$25 (plus \$5 processing fee) in addition to the normal fees associated with buying a license plate.

C. Government Sector Impact:

DHSMV is responsible for developing and distributing the “Vietnam Veterans” specialty license plate. The cost of this effort is approximately \$60,000. According to the DHSMV, the required \$60,000 application fee has not been paid which would help offset the development and distribution costs.

#### **VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Military Affairs, Space, and Domestic Security Committee

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BILL: SB 1214

INTRODUCER: Senator Altman

SUBJECT: School-aged Dependents of Military Personnel

DATE: March 22, 2011

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fleming	Carter	MS	<b>Pre-meeting</b>
2.			ED	
3.			BC	
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5.				
6.				

**I. Summary:**

This bill amends s. 1003.05, F.S., to allow a military student the option of remaining at the school he or she currently attends if a local school board adjusts school zones, which requires attendance at a different school for that military student.

This bill provides an effective date of July 1, 2011.

This bill substantially amends section 1003.05 of the Florida Statutes.

**II. Present Situation:**

**Military Presence in Florida**

The United States currently has 1.4 million people serving in the armed forces, over 23 million veterans living in the U.S., and over 200 military installations in 46 states, the District of Columbia, and Puerto Rico. In addition, there are more than 400,000 National Guard members throughout the 50 states, the District of Columbia, and commonwealths and territories. The military operations of the United States touch every state in some manner.<sup>1</sup> In Florida, there are 22 military bases, over 58,000 active duty military personnel, and over 37,000 Reserve and National Guard personnel.<sup>2</sup>

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<sup>1</sup> National Conference of State Legislatures, *Military Personnel, Veterans and Their Families*, available at: <http://www.ncsl.org/default.aspx?TabID=123&tabs=858,137,1160#858> (Last visited on March 19, 2011).

<sup>2</sup> Telephone interview with Col. Rocky McPherson, USMC, Director of Military and Defense Programs, Enterprise Florida, by professional staff of the Senate Health Regulation Committee on March 10, 2011. See bill analysis for CS/SB 1228. Available at:

Military families often face frequent moves and these moves can add unique challenges for children transitioning from school to school. According to the Council of State Governments, the average military student<sup>3</sup> faces transition challenges more than twice during high school, and most military children will have six to nine different school systems in their lives from kindergarten to 12th grade.<sup>4</sup> With more than half of all military personnel supporting families, the challenges of reassignment and long deployments are key considerations when making long-term life choices for military children and include the following:<sup>5</sup>

- Transfer of records;
- Course sequencing;
- Graduation requirements;
- Exclusion from extracurricular activities;
- Redundant or missed entrance/exit tests;
- Kindergarten and first grade entrance age variations; and
- Power of custodial parents while parents are deployed.

As of January 9, 2011, there were 30,603 children of military families<sup>6</sup> in the Florida public school system. The counties with the highest concentration of military children include:

- Duval (5,490)
- Okaloosa (4,477)
- Hillsborough (3,994)
- Brevard (3,084)
- Clay (3,056)
- Santa Rosa (2,353)
- Bay (2,187)<sup>7</sup>

### **Florida's Efforts to Assist Transitioning Military Students**

While the majority of programs and benefits for soldiers and veterans are administered by the federal government, states and state legislatures are playing an increasingly larger role in military issues. With many active duty military members and National Guard and Reservists, and their families, facing multiple deployments, state policymakers are creating benefits and programs designed to assist both the military personnel and their families.<sup>8</sup>

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<http://www.flsenate.gov/Session/Bill/2011/1228/Analyses/3O3FkyRsXygSZhdQ7z3DZSiNroI=%7C7/Public/Bills/1200-1299/1228/Analysis/2011s1228.hr.PDF>

<sup>3</sup> Section 1003.05, F.S., provides that the term "military student" refers to school-aged dependents of military personnel.

<sup>4</sup> Council of State Governments, *See*

[http://www.csg.org/programs/policyprograms/NCIC/interstatecompact\\_militarychildren\\_edop.aspx](http://www.csg.org/programs/policyprograms/NCIC/interstatecompact_militarychildren_edop.aspx), last viewed on March 20, 2011.

<sup>5</sup> *Id.*

<sup>6</sup> "Children of military families" means school-aged children, enrolled in kindergarten through 12<sup>th</sup> grade, in the household of an active-duty member pursuant to s. 1000.36, F.S., (the Interstate Compact on Educational Opportunity for Military Children).

<sup>7</sup> Data received from an information request from the Florida Department of Education by professional staff of the Senate Military Affairs, Space, and Domestic Security Committee. March 21, 2011.

<sup>8</sup> *Supra* fn. 1.

*Interstate Compact on Educational Opportunity for Military Children*

The State of Florida, along with 34 other states, has enacted the Interstate Compact on Educational Opportunity for Military Children (compact).<sup>9</sup> The purpose of the compact is to enable member states to uniformly address educational transition issues faced by military families, including eligibility, enrollment, placement, and graduation.<sup>10</sup>

*Section 1003.05, Florida Statutes – Assistance to transitioning students from military families*

Section 1003.05(1), F.S., provides that the Legislature recognizes the challenges faced by military students and requires the Florida Department of Education (department) to assist in the transition of high school military students by:

- Improving the timely transfer of records;
- Developing systems to ease student transition during the first 2 weeks of enrollment;
- Promoting practices which foster access to extracurricular programs;
- Establish procedures to lessen the adverse impact of moves;
- Encourage or continue partnerships between military bases and school systems;
- Providing services for transitioning students when applying to and finding funding for postsecondary study; and
- Providing other assistance as identified by the department, school, and military personnel.

The department is further required to facilitate the development and implementation of memoranda of agreement between school districts and military installations which address strategies for assisting students who are children of active duty military personnel in the transition to Florida schools.

Finally, s. 1003.05(3), F.S., provides children of active duty military personnel who otherwise meet the eligibility criteria for special academic programs offered through public schools first preference for admission to such programs even if the program is being offered through a public school other than school to which the student would generally be assigned.

**School District Attendance Zoning**

Section 1001.41(6), F.S., provides each district school board the authority to assign students to schools within a district.<sup>11</sup> Therefore, school district attendance zoning is performed at the local level and each school district composes its own policies relating to school attendance zoning.

**III. Effect of Proposed Changes:**

This bill amends s. 1003.05, F.S., to allow a military student the option of remaining at the school he or she currently attends if a local school board adjusts school zones, which requires attendance at a different school for that military student.

This bill provides an effective date of July 1, 2011.

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<sup>9</sup> Section 1000.36, F.S.

<sup>10</sup> Council of State Governments. Military Moves. Available at: <http://www.csg.org/knowledgecenter/docs/sn0802MilitaryMoves.pdf>. Site last accessed March 22, 2011.

<sup>11</sup> Section 1001.30, F.S., provides that each county shall constitute a school district.

**Other Potential Implications**

This bill may cause difficulties for school districts to comply with class size requirements, as well as pose transportation challenges for a student who chooses to remain at the current school where no transportation would be provided for that student. In addition, school districts would need to establish a process to provide notice to a military student about a school district rezoning and the student's option to remain at the current school.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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551276

LEGISLATIVE ACTION

Senate

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House

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The Committee on Military Affairs, Space, and Domestic Security  
(Altman) recommended the following:

**Senate Amendment**

Delete lines 60 - 69  
and insert:

(4) (a) An eligible servicemember who seeks to claim the additional tax exemption as provided in this section must file an application for exemption with the property appraiser on or before March 1 of the year following the year of the qualifying deployment. The application for the exemption must be made on a form prescribed by the department and furnished by the property appraiser. The form must require a servicemember to include or attach proof of a qualifying deployment, the dates of that



551276

13 deployment, and other information necessary to verify  
14 eligibility for and the amount of the exemption.

15 (b) An application may be filed on behalf of an eligible  
16 servicemember by his or her spouse if the homestead property to  
17 which the exemption applies is held by the entireties or jointly  
18 with the right of survivorship, or by a person who has been  
19 designated by the servicemember to take actions on his or her  
20 behalf pursuant to chapter 709.



890408

LEGISLATIVE ACTION

Senate

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House

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The Committee on Military Affairs, Space, and Domestic Security  
(Altman) recommended the following:

**Senate Amendment**

Delete line 99  
and insert:  
calendar year. The report must include to the extent possible:

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Military Affairs, Space, and Domestic Security Committee

BILL: SB 1502

INTRODUCER: Senator Simmons

SUBJECT: Ad Valorem Tax Exemption/Deployed Servicemembers

DATE: March 21, 2011 REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fleming	Carter	MS	<b>Pre-meeting</b>
2.			CA	
3.			BC	
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**I. Summary:**

This bill codifies an amendment to Article VII, Section 3 of the Florida Constitution, which was approved by voters in the November 2010 general election. This amendment, now Article VII, Section 3(g) of the Florida Constitution, provides a partial ad valorem tax exemption on homestead property for Florida military personnel who are deployed outside the United States. In addition, this bill:

- Requires the Florida Department of Military Affairs to annually submit a report to the Legislature of all known and unclassified military operations outside the United States;
- Directs the Legislature to immediately transmit a concurrent resolution which designates a military operation that qualifies a servicemember for the tax exemption;
- Provides procedures for property appraisers to apply or deny the partial ad valorem tax exemption;
- Requires a servicemember applying for the tax exemption to provide proof of eligibility; and
- Authorizes the Department of Revenue to adopt emergency rules to administer the provisions of this act.

This bill creates section 196.173 of the Florida Statutes and substantially amends sections 194.011 and 196.011 of the Florida Statutes.

This bill will take effect upon becoming a law.

## II. Present Situation:

### Property Taxes in Florida

The ad valorem tax or “property tax” is an annual tax levied by counties, cities, school districts, and some special districts based on the value of real and tangible personal property as of January 1 of each year.<sup>1</sup> The “taxable value” of real and tangible personal property is the fair market value, or “just value,” of the real and tangible personal property adjusted for any exclusions, differentials, or exemptions allowed by the constitution or the statutes.<sup>2</sup> Tax bills are mailed in November of each year based on the previous January 1 valuation and payment is due by the following March 31.

Property taxes are the largest single tax revenue source for local governments in Florida, with approximately \$25.1 billion levied in fiscal year 2010-11<sup>3</sup>.

The Florida Constitution reserves ad valorem taxation to local governments and prohibits the state from levying ad valorem taxes on real and tangible personal property.<sup>4</sup> In addition, the Florida Constitution strictly limits the Legislature’s authority to provide exemptions or adjustments to fair market value.<sup>5</sup> However, the Florida Constitution provides for property tax relief in the form of valuation differentials, assessment limitations, and exemptions.<sup>6</sup>

### Property Tax Benefits Available to Veterans

Chapter 196, F.S., provides the following homestead exemptions that may apply to military service veterans:

- for certain permanently and totally disabled veterans and for surviving spouses of veterans;<sup>7</sup>
- for disabled veterans confined to wheelchairs;<sup>8</sup>
- for totally and permanently disabled persons;<sup>9</sup> and
- for certain disabled ex-service members or surviving spouses.<sup>10</sup>

In addition, current law provides an ad valorem tax discount for veterans who are age 65 or older who are partially or totally permanently disabled. This discount applies if the disability was combat related, the veteran was a Florida resident at the time of entering the military service of

<sup>1</sup> Section 192.001(12), F.S., defines “real property” as land, buildings, fixtures, and all other improvements to land. The terms “land,” “real estate,” “realty,” and “real property” may be used interchangeably. Section 192.001(11)(d), F.S., defines “tangible personal property” as all goods, chattels, and other articles of value (but does not include the vehicular items enumerated in s. 1(b), Art. VII of the State Constitution and elsewhere defined) capable of manual possession and whose chief value is intrinsic to the article itself.

<sup>2</sup> Sections 192.001(2) and (16), F.S., define the terms “assessed value” and “taxable value.” “Assessed value” is generally synonymous with “just value” unless a constitutional exception such as Save Our Homes applies to reduce the assessed value of the property. “Taxable value” is the assessed value minus any applicable exemptions such as the \$25,000 homestead exemption. “Just value” is the estimated fair market value of the property.

<sup>3</sup> 2011 Florida Tax Handbook. Available at: <http://edr.state.fl.us/Content/revenues/reports/tax-handbook/taxhandbook2011.pdf>

<sup>4</sup> Article VII, s. 1(a), Florida Constitution.

<sup>5</sup> Article VII, s. 4, Florida Constitution.

<sup>6</sup> Valuation differentials, assessment limitations, and exemptions are authorized in Article VII, Florida Constitution.

<sup>7</sup> Section 196.081, F.S.

<sup>8</sup> Section 196.091, F.S.

<sup>9</sup> Section 196.101, F.S.

<sup>10</sup> Section 196.24, F.S.

the United States, and the veteran was honorably discharged upon separation from military service.<sup>11</sup>

No special tax relief is provided to military personnel deployed on active duty for military operations outside the United States.

**Deployed Military Personnel**

The number of deployed military personnel is in constant flux. According to data provided by the Florida Department of Military Affairs, approximately 5,082 military personnel who claim Florida as their home of record<sup>12</sup> were deployed overseas on active duty in support of Operation New Dawn, Operation Enduring Freedom, or Operation Noble Eagle as of January 31, 2011.

<u>Branch of Service</u>	<u>Number of Military Personnel</u>
Army	211
Navy	1,343
Air Force	1,712
Marine Corps	79
Army Reserve	521
Florida National Guard	656
Marine Corps Reserve	320
Navy Reserve	67
Air Force Reserve	98
Coast Guard	55
Coast Guard Reserve	20
<b><u>TOTAL:</u></b>	<b>5,082</b>

**III. Effect of Proposed Changes:**

**Section 1** creates s. 196.173, F.S., to codify an amendment to Article VII, Section 3 of the Florida Constitution that was approved by voters in the November 2010 general election. This constitutional amendment provides an additional ad valorem tax exemption for homestead property owned by a person who was a member of the United States military or military reserves, the United States Coast Guard or its reserves, or the Florida National Guard deployed outside of the continental United States, Alaska, or Hawaii in support of military operations designated by the Legislature in the previous year.

<sup>11</sup> Section 196.082, F.S.

<sup>12</sup> Claiming Florida as a home of record is not an indicator of the number of service members who actually own homestead property in Florida.

The amount of the exemption is equal to the taxable value of the homestead of the servicemember on January 1 of the year in which the exemption is sought multiplied by the number of days that the servicemember was on a qualifying deployment in the preceding calendar year and divided by the number of days in that year.

A servicemember who seeks to claim the additional tax exemption must file an application for exemption with the property appraiser on or before March 1 of the year following the year of the qualifying deployment. The application must be prescribed by the Department of Revenue and furnished by the property appraiser. The servicemember must provide:

- Proof that the servicemember participated in a qualifying deployment;
- The dates of the qualifying deployment; and
- Other information necessary to verify eligibility for and the amount of the exemption.

The Secretary of the Senate and the Clerk of the House of Representatives are required to immediately transmit to the Department of Revenue a copy of a concurrent resolution in which the Legislature designates a military operation that may qualify a servicemember for the tax exemption. Upon receipt of the concurrent resolution, the Department of Revenue must notify all property appraisers and tax collectors of the designated military operations.

The property appraiser must approve or deny a servicemember's application for the exemption within 30 days after receipt of the application. If a servicemember's application for the exemption is denied, the property appraiser must send a notice of disapproval no later than July 1, citing the reason for disapproval and advising the servicemember of the right to appeal the decision.

By January 15 of each year, the Department of Military Affairs must submit to the President of the Senate, the Speaker of the House of Representatives, and the tax committees of each house of the Legislature a report of all known and unclassified military operations outside the continental United States, Alaska, or Hawaii for which servicemembers based in the continental United States have been deployed during the previous calendar year.

**Section 2** amends s. 194.011, F.S., requiring a person appealing the denial of a deployed service member exemption to the value adjustment board to file the appeal on or before the 30<sup>th</sup> day following the mailing of the denial notice by the property appraiser.

**Section 3** amends s. 196.011, F.S., requiring the application form for the deployed service member tax exemption to meet certain conditions in order to be considered a complete application.

**Section 4** authorizes the Department of Revenue to adopt emergency rules to administer the provisions of this act.

**Section 5** establishes June 1, 2011 as the deadline for an eligible servicemember to file a claim for an additional tax exemption for a qualifying deployment during the 2010 calendar year. For an applicant who fails to meet the June 1 deadline and subsequently submits an application to the property appraiser, the property appraiser may grant the tax exemption if the property appraiser determines the applicant failed to meet the application deadline due to extenuating circumstances. If the property appraiser determines that extenuating circumstances did not

prevent an applicant from meeting the deadline and denies the application, the applicant may file a petition with the value adjustment board.

**Section 6** directs the Department of Military Affairs to submit the report described in section 1 of the bill of military operations for the 2010 calendar year within 15 days after the act becomes a law.

**Section 7** provides that this act will take effect upon becoming law, and first applies to ad valorem tax rolls for 2011.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

Section 18(b), Article VII, of the Florida Constitution requires any general law that reduces a local government's authority to raise revenues in the aggregate, to be passed by a two-thirds vote of the membership of each house of the Legislature. This bill, which implements an amendment to the Florida Constitution approved by the voters, reduces the tax base and revenue-raising authority of counties and municipalities, but the mandates provision does not apply to bills implementing a constitutional provision.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

##### **D. Other Constitutional Issues:**

This bill implements the provisions of Amendment 2 on the 2010 general election ballot, which provides a homestead ad valorem tax credit for deployed military personnel.

#### **V. Fiscal Impact Statement:**

##### **A. Tax/Fee Issues:**

In 2009, the Revenue Estimating Conference determined if the amendment were in effect for fiscal year 2009-10, its impact on cities, counties, school districts, Water Management Districts, and special districts would be -\$13 million, at the 2009 millage rates.

The Revenue Estimating Conference is expected to estimate the impact of this bill on March 23, 2011.

##### **B. Private Sector Impact:**

Military personnel eligible for the exemption will see a reduction in property taxes beginning the year after the amendment is approved by the voters.

**C. Government Sector Impact:**

The county property appraisers have additional duties under this act. They must approve or deny a servicemember's application for the exemption within 30 days after receipt of the application, and if a servicemember's application for the exemption is denied, the property appraiser must send a notice of disapproval no later than July 1, citing the reason for disapproval and advising the servicemember of the right to appeal the decision.

By January 15 of each year, the Department of Military Affairs is required to submit to the President of the Senate, the Speaker of the House of Representatives, and the tax committees of each house of the Legislature a report of all known and unclassified military operations outside the continental United States, Alaska, or Hawaii for which servicemembers based in the continental United States have been deployed during the previous calendar year.

The Department of Revenue is authorized to adopt emergency rules to administer the provisions of this act.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.



384132

LEGISLATIVE ACTION

Senate

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House

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The Committee on Military Affairs, Space, and Domestic Security (Altman) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 38 - 62  
and insert:

regulated by this chapter;

5. Proof that the applicant's spouse is assigned to a duty station in this state pursuant to the member's official active duty military orders; and

6. Proof that the applicant would otherwise be entitled to full licensure under the appropriate practice act, and is eligible to take the respective licensure examination as



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13 required in Florida.

14 (b) The applicant must also submit to the Department of Law  
15 Enforcement a complete set of fingerprints. The Department of  
16 Law Enforcement shall conduct a statewide criminal history check  
17 and forward the fingerprints to the Federal Bureau of  
18 Investigation for a national criminal history check.

19 (c) Each board, or the department if there is no board,  
20 shall review the results of the state and federal criminal  
21 history checks according to the level 2 screening standards in  
22 s. 435.04 when granting an exemption and when granting or  
23 denying the temporary license.

24 (d) The applicant shall pay the cost of fingerprint  
25 processing. If the fingerprints are submitted through an  
26 authorized agency or vendor, the agency or vendor shall collect  
27 the required processing fees and remit the fees to the  
28 Department of Law Enforcement.

29 (e) The department shall set an application fee, which may  
30 not exceed the cost of issuing the license.

31 (f) A temporary license expires 6 months after the date of  
32 issuance and is not renewable.

33 (g) An applicant for a temporary license under this  
34 subsection is subject to the requirements under s. 456.013(3) (a)  
35 and (c).

36 (h) An applicant shall be deemed ineligible for a temporary  
37 license pursuant to this section if the applicant:

38 1. Has been convicted of or pled nolo contendere to,  
39 regardless of adjudication, any felony or misdemeanor related to  
40 the practice of a health care profession;

41 2. Has had a health care provider license revoked or



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42 suspended from another of the United States, the District of  
43 Colombia, or a United States Territory;

44 3. Has been reported to the National Practitioner Data  
45 Bank, unless the applicant has successfully appealed to have his  
46 or her name removed from the data bank; or

47 4. Has previously failed the Florida examination required  
48 to receive a license to practice the profession for which the  
49 applicant is seeking a license.

50 (i) The board, or department if there is no board, may  
51 revoke a temporary license upon finding that the individual  
52 violated the profession's governing practice act.

53  
54 ===== T I T L E A M E N D M E N T =====

55 And the title is amended as follows:

56 Delete line 11

57 and insert:

58 certain general licensing requirements; providing that  
59 certain persons are ineligible for such license;  
60 providing for revocation of such license; amending ss.



486472

LEGISLATIVE ACTION

Senate	.	House
	.	
	.	
	.	
	.	
	.	

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The Committee on Military Affairs, Space, and Domestic Security (Altman) recommended the following:

1           **Senate Amendment to Amendment (384132) (with title**  
2 **amendment)**

3  
4           Delete lines 31 - 52  
5 and insert:

6           (f) A temporary license expires 12 months after the date of  
7 issuance and is not renewable.

8           (g) An applicant for a temporary license under this  
9 subsection is subject to the requirements under s. 456.013(3) (a)  
10 and (c).

11           (h) An applicant shall be deemed ineligible for a temporary  
12 license pursuant to this section if the applicant:



486472

13           1. Has been convicted of or pled nolo contendere to,  
14 regardless of adjudication, any felony or misdemeanor related to  
15 the practice of a health care profession;

16           2. Has had a health care provider license revoked or  
17 suspended from another of the United States, the District of  
18 Colombia, or a United States Territory;

19           3. Has been reported to the National Practitioner Data  
20 Bank, unless the applicant has successfully appealed to have his  
21 or her name removed from the data bank; or

22           4. Has previously failed the Florida examination required  
23 to receive a license to practice the profession for which the  
24 applicant is seeking a license.

25           (i) The board, or department if there is no board, may  
26 revoke a temporary license upon finding that the individual  
27 violated the profession's governing practice act.

28           (j) An applicant who is issued a temporary professional  
29 license to practice as a dentist pursuant to this section must  
30 practice under the indirect supervision, as defined in s.  
31 466.003, of a dentist licensed pursuant to chapter 466.

32  
33 ===== T I T L E   A M E N D M E N T =====

34 And the title is amended as follows:

35           Between lines 59 and 60

36 insert:

37           requiring certain temporary licensees to practice  
38           under the indirect supervision of other licensees;

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Military Affairs, Space & Domestic Security Committee

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BILL: CS/SB 1228

INTRODUCER: Health Regulation Committee and Senator Altman

SUBJECT: Military Spouses

DATE: March 21, 2011      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	O'Callaghan	Stovall	HR	<b>Fav/CS</b>
2.	Fleming	Carter	MS	<b>Pre-meeting</b>
3.	_____	_____	BC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

This committee substitute (CS) for SB 1228 authorizes the appropriate board, or the Department of Health (DOH) when there is no board, to issue a temporary professional license, which is valid for 6 months after issuance and is not renewable, to the spouse of an active duty member of the Armed Forces of the United States. To be eligible for licensure, the spouse must submit to the DOH a completed application, application fee, proof of marriage to an active duty service member, proof of a valid license in another state or other jurisdiction, and proof that the applicant's spouse is an active duty service member assigned to a duty station in Florida.

The CS also requires an applicant for a temporary license to submit a complete set of fingerprints to the Florida Department of Law Enforcement (FDLE) to undergo a statewide criminal history check and national criminal history check, which is to be conducted by the Federal Bureau of Investigation. The DOH or the appropriate board may determine whether the applicant meets licensure standards based on the results of the criminal history checks.

The CS requires the applicant to pay the cost of fingerprint processing for criminal history checks and requires the applicant to pay an application fee, which may not exceed the DOH's cost of issuing a license.

The CS also provides for the naming of temporary certificates issued for practice in areas of critical need.

This CS substantially amends the following sections of the Florida Statutes: 456.024, 458.315, and 459.0076, F.S.

## II. Present Situation:

### Background

The United States currently has 1.4 million people serving in the armed forces, over 23 million veterans living in the U.S., and over 200 military installations in 46 states, the District of Columbia, and Puerto Rico. In addition, there are more than 400,000 National Guard members throughout the 50 states, the District of Columbia, and commonwealths and territories. The military operations of the United States touch every state in some manner.<sup>1</sup>

In Florida, there are 22 military bases, over 58,000 active duty military personnel, and over 37,000 Reserve and National Guard personnel.<sup>2</sup> There are approximately 37,000 military spouses that currently live in Florida.<sup>3</sup>

Military families often face frequent moves and these moves can add unique financial pressures, as spouses may have to leave their employment due to a military transfer and the families may face a reduction in income.

While the majority of programs and benefits for soldiers and veterans are administered by the federal government, states and state legislatures are playing an increasingly larger role in military issues. With many active duty military members and National Guard and Reservists, and their families, facing multiple deployments, state policymakers are creating benefits and programs designed to assist both the military personnel and their families.<sup>4</sup>

In Florida, in 2009, the Legislature enacted HB 7123, which became ch. 2009-155, Laws of Florida. The Florida Council on Military Base and Mission Support (council) was created with the enactment of this law. The council was created to:

- Support and strengthen all DoD missions and bases located in Florida;
- Know the capabilities of Florida's military installations in order to support future military growth opportunities;
- Support community efforts relating to mission support of a military base by acting as a liaison between the local communities and the Legislature; and
- Enhance Florida's defense economy.<sup>5</sup>

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<sup>1</sup> National Conference of State Legislatures, *Military Personnel, Veterans and Their Families*, available at: <http://www.ncsl.org/default.aspx?TabID=123&tabs=858,137,1160#858> (Last visited on March 10, 2011).

<sup>2</sup> Telephone interview with Col. Rocky McPherson, USMC, Director of Military and Defense Programs, Enterprise Florida, by professional staff of the Senate Health Regulation Committee on March 10, 2011.

<sup>3</sup> Agency for Workforce Innovation, *Military Family Employment Advocacy Program*, available at: <http://www.floridajobs.org/workforce/mfea.html> (Last visited on March 11, 2011).

<sup>4</sup> *Supra* fn. 1.

<sup>5</sup> Section 288.984(1), F.S.

In 2010, the Legislature enacted HB 713, which became ch. 2010-106, Laws of Florida. This law authorizes the Department of Business and Professional Regulation (DBPR) to issue a temporary professional license, which is valid for 6 months after issuance and is not renewable, to the spouse of an active duty member of the Armed Forces of the United States if the spouse applies to the DBPR for the temporary license. The applicant for a temporary license must submit to the DBPR proof of marriage to the military member, proof that he or she holds an active license in another state or jurisdiction, and proof that the military member is assigned to a duty station in Florida. The applicant must also be subject to a criminal history check and is responsible for the cost of the fingerprinting process. The applicant must also pay an application fee.

In Florida, military spouses also enjoy benefits related to education and unemployment compensation.<sup>6</sup> Through federal funding under the Wagner-Peyser Act, the Agency for Workforce Innovation provides services to military spouses and dependents through the Military Family Employment Advocacy Program. The program delivers employment assistance services, including interviewing, assessment, counseling, job search and placement assistance, labor market information, and resume assistance through Military Family Employment Advocates co-located within selected One-Stop Career Centers. Persons eligible for assistance through this program include spouses and dependents of active-duty military personnel, Florida National Guard members, and military reservists.<sup>7</sup>

### **The Department of Health**

Section 20.43, F.S., creates the DOH. The DOH is responsible for the state's public health system, which is designed to promote, protect, and improve the health of all people in the state. The mission of the state's public health system is to foster the conditions in which people can be healthy, by assessing state and community health needs and priorities through data collection, epidemiologic studies, and community participation; by developing comprehensive public health policies and objectives aimed at improving the health status of people in the state; and by ensuring essential health care and an environment which enhances the health of the individual and the community.<sup>8</sup> The State Surgeon General is the State Health Officer and the head of the DOH.

Section 20.43, F.S., creates several divisions under the DOH, including the Division of Medical Quality Assurance, which is responsible for the following boards and professions established within the division:

- The Board of Acupuncture, created under chapter 457.
- The Board of Medicine, created under chapter 458.
- The Board of Osteopathic Medicine, created under chapter 459.
- The Board of Chiropractic Medicine, created under chapter 460.
- The Board of Podiatric Medicine, created under chapter 461.
- The Board of Optometry, created under chapter 463.

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<sup>6</sup> See ss. 295.01, 1009.21(10), and 443.101(1)(a)1., F.S.

<sup>7</sup> Agency for Workforce Innovation, *AWI Programs*, available at: [http://www.floridajobs.org/workforce/WP\\_MFEA.html](http://www.floridajobs.org/workforce/WP_MFEA.html) (Last visited on March 10, 2011).

<sup>8</sup> Section 381.001, F.S.

- The Board of Nursing, created under part I of chapter 464.
- The Board of Pharmacy, created under chapter 465.
- The Board of Dentistry, created under chapter 466.
- The Board of Speech-Language Pathology and Audiology, created under part I of chapter 468.
- The Board of Nursing Home Administrators, created under part II of chapter 468.
- The Board of Occupational Therapy, created under part III of chapter 468.
- The Board of Athletic Training, created under part XIII of chapter 468.
- The Board of Orthotists and Prosthetists, created under part XIV of chapter 468.
- The Board of Massage Therapy, created under chapter 480.
- The Board of Clinical Laboratory Personnel, created under part III of chapter 483.
- The Board of Opticianry, created under part I of chapter 484.
- The Board of Hearing Aid Specialists, created under part II of chapter 484.
- The Board of Physical Therapy Practice, created under chapter 486.
- The Board of Psychology, created under chapter 490.
- The Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling, created under chapter 491.

In addition to the professions regulated by the various aforementioned boards, the DOH also regulates the following professions: naturopathy, as provided under chapter 462; nursing assistants, as provided under part II of chapter 464; midwifery, as provided under chapter 467; respiratory therapy, as provided under part V of chapter 468; dietetics and nutrition practice, as provided under part X of chapter 468; electrolysis, as provided under chapter 478; medical physicists, as provided under part IV of chapter 483; and school psychologists, as provided under chapter 490.

### **Temporary Licensure by the Department of Health**

There are several examples of laws that authorize individuals in Florida to obtain temporary permits or licenses from the DOH, typically only if certain conditions are met.

#### ***Advanced Registered Nurse Practitioners***

Under s. 464.012(1)(b), F.S., the Board of Nursing is authorized to provide by rule for provisional state certification of graduate nurse anesthetists and nurse midwives for a period of time determined to be appropriate for preparing for and passing the national certification exam.

#### ***Clinical Laboratory Personnel***

Under s. 483.813, F.S., the DOH may grant a temporary license to any candidate it deems properly qualified, for a period not to exceed 1 year.

#### ***Dentistry***

Under s. 466.025, F.S., the DOH has authority to issue temporary certificates to graduates of accredited dental schools, which are approved by the Board of Dentistry, to practice in state and county government facilities, working under the general supervision of licensed dentists in the state or county facility. The certificate is only valid for such a time as the dentist remains employed by a state or county government facility.

***Dietetics/Nutritionists***

Under s. 468.511, F.S., the Board of Medicine may issue a temporary permit to an applicant seeking to practice dietetics and nutrition if the applicant files an application, pays a temporary permit fee, submits proof of completion of the required education requirement and is supervised by a licensed dietitian or nutritionist. The temporary permit expires 1 year from the date of issuance, but one extension may be granted for good cause shown.

***Electrolysis***

Under s. 478.46, F.S., the DOH is authorized to issue a temporary permit to practice electrolysis if an applicant qualifies for licensure. The temporary permit is valid until the next Board of Medicine meeting at which license applications are to be considered or if the applicant qualifies for licensure but has not taken an exam, the permit is valid until notification of the results of the examination.

***Nursing Home Administrators***

Under s. 468.1705, F.S., the DOH may issue a one-time temporary license to an applicant who has filed an application for license by endorsement, has paid a fee to take an exam, has filed an application and paid an application fee, has an active license in another state, and has worked as a fully licensed nursing home administrator for 2 years within the 5-year period immediately preceding the application for the temporary license.

***Occupational Therapy***

Under s. 468.209, F.S., an applicant who qualifies for licensure by endorsement may be issued a temporary permit. Also, an applicant who has not passed an examination, but meets all of the other licensure requirements may be issued a temporary permit by the Board of Occupational Therapy Practice which is valid until the notification of the results of the examination. A person may not practice under the temporary permit unless he or she practices under the supervision of a licensed occupational therapist.

***Physician Assistants***

Under s. 458.347, F.S., The DOH may grant temporary licensure to an applicant who meets licensure requirements. The temporary license expires 30 days after receipt and notice of scores to the licenseholder from the first available examination following licensure by the DOH. The applicant may be granted one extension of the temporary license.

***Radiologic Technologists***

Under s. 468.307, F.S., the DOH may issue a temporary certificate to an applicant who has completed an educational program and is awaiting examination for a certificate. However, the applicant must meet all other certification requirements specified in law.

**Rear Admiral LeRoy Collins, Jr.**

Rear Admiral LeRoy Collins, Jr., died July 29, 2010, in Tampa, Florida, at the age of 75. He was a native of Tallahassee and the son of former Florida Governor LeRoy Collins. He graduated

from the U.S. Naval Academy in 1956, embarking upon a 34-year military career and retiring as a two-star Rear Admiral in 1990.<sup>9</sup>

Admiral Collins also became a prominent businessman and civic leader in Florida. He was instrumental in the growth of electronic payment systems in the United States, starting with the introduction of credit cards in Florida and the Southeast. As the founder and president of the Armed Forces Financial Network, Admiral Collins pioneered the deployment of ATMs and point-of-sale devices in U.S. military installations worldwide, including major U.S. aircraft carriers. He also held several other positions, including founding president of Financial Transaction Systems, Inc. and a senior executive of Telecredit Service Center, Inc.<sup>10</sup>

Rather than retiring, Admiral Collins mounted an unsuccessful campaign for the U.S. Senate in 2006. He was then appointed by Governor Charlie Crist as the executive director of the Florida Department of Veterans' Affairs, where he directed the state agency responsible for all of Florida's 1.8 million veterans. Continuing his support of the military community, Admiral Collins also founded the Florida Veterans Foundation, Inc.<sup>11</sup>

### III. Effect of Proposed Changes:

This CS amends s. 456.024, F.S., to authorize the appropriate board, or the DOH when there is no board, to issue a temporary professional license, which is valid for 6 months after issuance and is not renewable, to the spouse of an active duty member of the Armed Forces of the United States. To be eligible for licensure, the spouse must submit to the DOH:

- A completed application upon a form prepared and furnished by the DOH in accordance with the board's rules;
- An application fee;
- Proof of marriage to an active duty service member;
- Proof of a valid license to practice the profession in another state, the District of Columbia, a possession or territory of the United States, and is not the subject of any disciplinary proceeding in any jurisdiction in which the applicant holds a license to practice a profession regulated under ch. 456, F.S.; and
- Proof that the applicant's spouse is an active duty service member assigned to a duty station in Florida.

The CS also requires an applicant for a temporary license to submit a complete set of fingerprints to the FDLE to undergo a statewide criminal history check. The FDLE is required to forward the fingerprints to the Federal Bureau of Investigation for a national criminal history check to be conducted. The DOH or the appropriate board may determine whether the applicant meets licensure standards based on the results of the criminal history checks.

The CS requires the applicant to pay the cost of fingerprint processing for criminal history checks and requires the applicant to pay an application fee, which may not exceed the DOH's cost of issuing a license.

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<sup>9</sup> Collins Center for Public Policy, *LeRoy Collins Jr.*, available at [http://www.collinscenter.org/?page=Leroy\\_Collins\\_Mem](http://www.collinscenter.org/?page=Leroy_Collins_Mem) (Last visited on March 14, 2011). See also [http://www.collinscenter.org/?page=LCJr\\_ObituaryPage](http://www.collinscenter.org/?page=LCJr_ObituaryPage).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

The CS provides for the naming of temporary certificates for practice in areas of critical need under ss. 458.315 and 459.0076, F.S., to name such certificates, "Rear Admiral LeRoy Collins, Jr., Temporary Certificate for Practice in Areas of Critical Need."

The CS provides that it shall take effect July 1, 2011.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

The provisions of this CS have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

##### **B. Public Records/Open Meetings Issues:**

The provisions of this CS have no impact on public records or open meetings issues under the requirements of Article I, Section 24(a) and (b) of the Florida Constitution.

##### **C. Trust Funds Restrictions:**

The provisions of this CS have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

#### **V. Fiscal Impact Statement:**

##### **A. Tax/Fee Issues:**

The applicant for a temporary professional license is required to pay an application fee and for the processing of fingerprints for criminal history checks. Statewide and nationwide criminal history checks cost a total of \$54.25.<sup>12</sup>

##### **B. Private Sector Impact:**

Although military spouses may incur costs associated with applying for a temporary license, they may be able to find employment more quickly after transferring to Florida should they be issued a temporary license.

##### **C. Government Sector Impact:**

The DOH or boards within the DOH may incur costs associated with implementing the CS, which should be off-set by the application fees received for temporary licensure.

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<sup>12</sup> Florida Department of Law Enforcement, *Criminal History Record Checks/Background Checks Fact Sheet*, January 4, 2011, available at: <http://www.fdle.state.fl.us/Content/getdoc/39b8f116-6d8b-4024-9a70-5d8cd2e34aa5/FAQ.aspx> (Last visited on March 11, 2011).

**VI. Technical Deficiencies:**

The term “Armed Forces” is not defined in the CS or in ch. 456, F.S. The term “Armed Forces” is defined under s. 250.01(4), F.S., to mean the United States Army, Navy, Air Force, Marine Corps, and Coast Guard, but does not include Reservists or National Guardsmen. It may be appropriate to either define the term “Armed Forces” or cross-reference s. 250.01(4), F.S.

**VII. Related Issues:**

None.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by the Health Regulation Committee on March 14, 2011:**

The CS differs from the bill in that it:

- Authorizes a board within the DOH to issue a temporary professional license to the spouse of an active duty member of the Armed Forces of the United States if certain requirements are met by the applicant;
- Requires the applicant for a temporary license to complete an application upon a form prepared and furnished by the DOH in accordance with a board’s rules;
- Removes the authorization of temporary licensure for an applicant having a valid license in a foreign jurisdiction;
- Requires an applicant to prove that he or she is not subject to any disciplinary proceeding in any jurisdiction in which the applicant holds a license to practice a profession regulated under ch. 456, F.S.;
- Removes the requirement that an applicant prove that he or she is assigned to a duty station in Florida pursuant to his or her spouse’s official active duty military orders;
- Specifies that a person issued a temporary license is subject to the requirements under s. 456.013(3), F.S., relating to a review by the board or the DOH of the applicant’s eligibility for licensure; and
- Provides for the naming of temporary certificates for practice in areas of critical need, to name such certificates, “Rear Admiral LeRoy Collins, Jr., Temporary Certificate for Practice in Areas of Critical Need.”

**B. Amendments:**

None.



*"We're the Blue in Green Living"™*



# **RAINWATER HARVESTING AND STORMWATER REUSE**

# Rainwater Harvesting and Stormwater Reuse

Move beyond preparedness to:

- Resiliency of Military Personnel and First Responders
- Independent supply and infrastructure for:  
domestic security / natural disasters / sustainability
- Cost Savings for State of Florida

# Filtered Rainwater wins International Drinking Water Competition

- Rainwater was the big surprise entry and two rainwaters won first and fifth in the purified water category. (Berkley Springs, WV. 2.24.11)

# Additional Benefits

- Save potable water for consumption
- Water and energy savings
- Stormwater and flood control
- Nutrient load reduction-- EPA
- Independent/ Alternative water source
- Low Impact Development
- Drought Tolerance

# It Adds Up!

- For every one inch of rain (on one square mile of land), you can collect 17,277,536 gallons of water.
- Tallahassee: 103.10 sq. miles (source: City Data)
- $103.10 \text{ square miles} \times 17,277,536 \text{ gallons} \times 1 \text{ inch} = \text{over } 1,781,313,962 \text{ gallons of rain water.}$



# Raindrops Cisterns

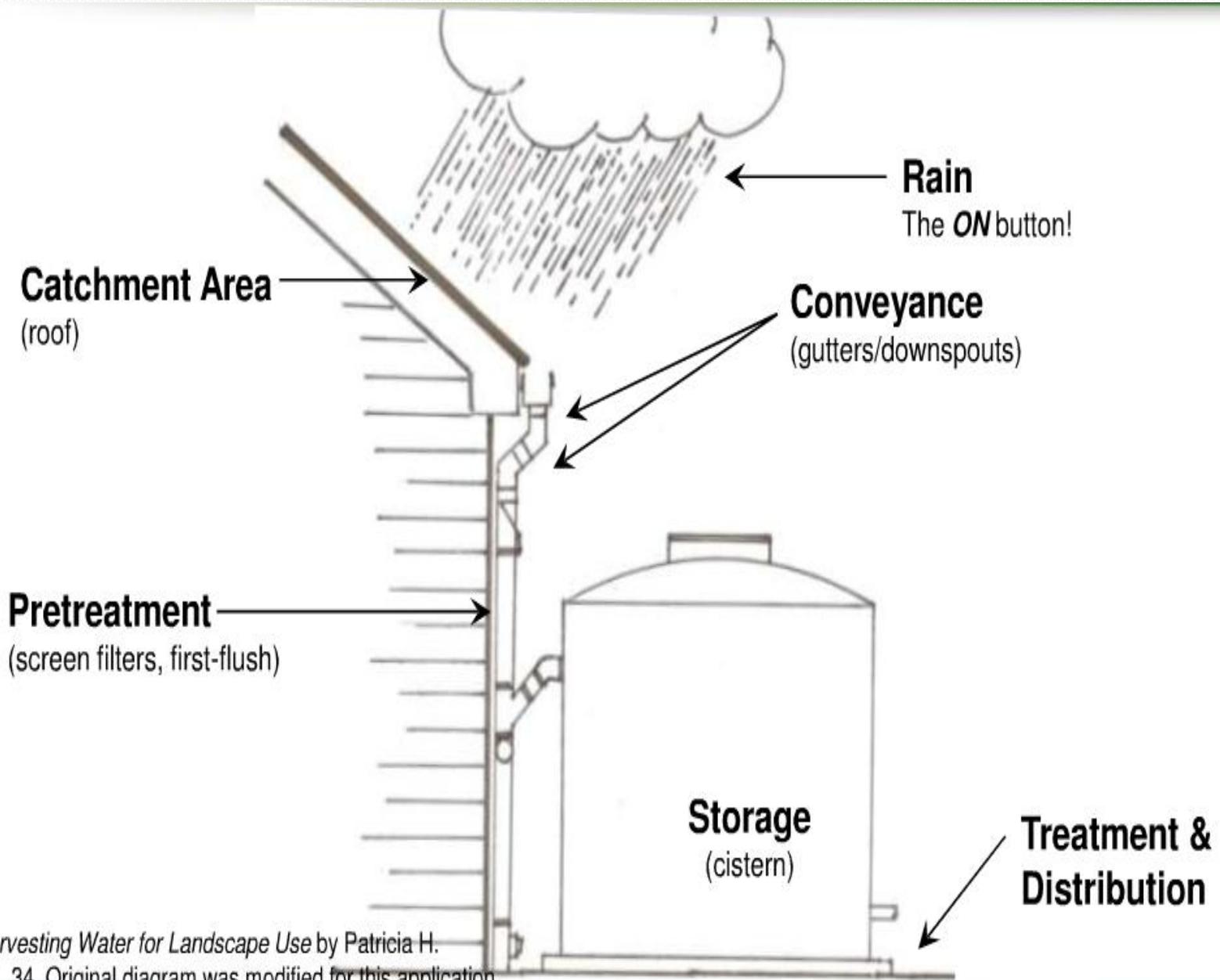


## Typical Household Use

As much as 65% of household water needs can be met by harvesting rainwater.



**CONTINUE**



Source: *Harvesting Water for Landscape Use* by Patricia H. Waterfall, p. 34 Original diagram was modified for this application.



# Whole Home System

Siesta Key, FL

Green builder / owner decided on a whole home cistern system to complete his island paradise. The family of three is saving an average of 65% on their municipal water usage. The soft, mineral free rainwater is great for drinking, showering and easier on appliances. The families carbon footprint has been reduced by capturing and reusing water on site.



Total Storage: 1,650 gallons

System Type: Round UV inhibited poly above ground cisterns

Targeted Use: Irrigation, toilet flushing, hydroponic gardening, stormwater control





## Whole Home System

Sarasota, FL

John Lambi of Dwell Green hired Raindrops Cisterns to design a whole home catchment system. RDC produced a multi-filtered system that seamlessly integrated municipal and rainwater for the residence. The system has been part of an ongoing reasearch project with the Florida State Department of Health. For over a year the RDC whole home system has consistently provided potable water.

Total Storage: 1,650 gallons

System Type: Round UV inhibited above ground cistern

Targeted Use: Whole home use





# IBE Certified Healthy Home

Sarasota, FL

RDC's largest residential cistern to date. Structural tube tanks were the only solution for this zero lot line, high water table application. Catchment volume exceeded irrigation requirements and allowed for multiple green building certifications including Florida Water Star Gold.



Total Storage: 10,000 gallons

System Type: Matrix underground tube tank cistern system

Targeted Use: Irrigation, stormwater control





# Fire Station #84

North Port, FL

RDC's innovative designs have been repeatedly utilized in municipal construction. Structural tube tanks cisterns support stormwater control, irrigation and toilet flushing. Our proprietary design will also save thousands of gallons yearly by recapturing water from weekly testing of fire equipment.

Total Storage: 16,000 gallons

System Type: Linear tube tank cistern.

Targeted Use: Irrigation, toilet flushing, stormwater control





## Pine Jog Environmental Center & Elementary School West Palm, FL



The Palm Beach School Board requested an additional 3000 gallons of cistern storage for garden expansion and A/C condensate capture. Raindrops Cisterns original 14,000 gallon cistern system was already in place at the environmental center for irrigation and toilet flushing. The school's system supports a hydroponic garden using captured rainwater. The garden provides vegetables for the school cafeteria, and has generated a new school festival from surplus strawberry production. Raindrops Cisterns flash presentations are used to educate students about rainwater harvesting, stormwater control, water reuse, and watershed balance.



Total Storage: 17,000 gallons

System Type: Round and Slimline, UV inhibited above ground cisterns

Targeted Use: Irrigation, toilet flushing, hydroponic gardening, stormwater control





## Learning Gate - LEED Rated School Tampa, FL

A 12,500 sq ft. private school in Tampa, Florida, Learning Gate is the first LEED Platinum school in the nation. The school officials concern was erosion caused by poor guttering. RDC was able to build a catchment system that eliminated storm water erosion and above ground sheeting, provided catchment water for toilets, irrigation, and serves as an educational tool for the students of Learning Gate. The 11,500 gallon cistern has a simple bi-annual maintenance schedule due to collection source gutter-guards, debris diverters and inline pump filtration.



Total Storage: 11,500 gallons

System Type: Bladder cisterns

Targeted Use: Stormwater control, toilet flushing, irrigation, and educational programming



# AMI Green Village

Anna Maria Island, FL

**Storm water Catchment:** Specialized filter drains in parking areas will collect ground run-off.

**Benefit:** Capturing polluted ground run-off helps the environment by sequestering harmful automobile fluids, pesticides, fertilizers and pet waste from reaching native water bodies. Captured storm water will be used to support irrigation and a dry fire hydrant system.



**BRAC reuse:** BRAC system will treat sink and shower water from buildings. Once treated, reuse water will be fed into the tube tank cistern to supplement irrigation.



Total Storage: 12,500 gallons

System Type: Matrix underground tube tank cistern system & bladder cisterns

Targeted Use: Irrigation, toilet flushing & storm water re-use.

**Energy / Water Connection:** Capture and reuse of rainwater using energy efficient pumps.

**Benefit:** Capturing and reusing rainwater onsite creates less energy demand as the facility will not demand that the municipal utility pump water for non potable uses. Net energy benefit by capturing and reusing water onsite.

Lower potable water consumption

Storm water control

Risk Management

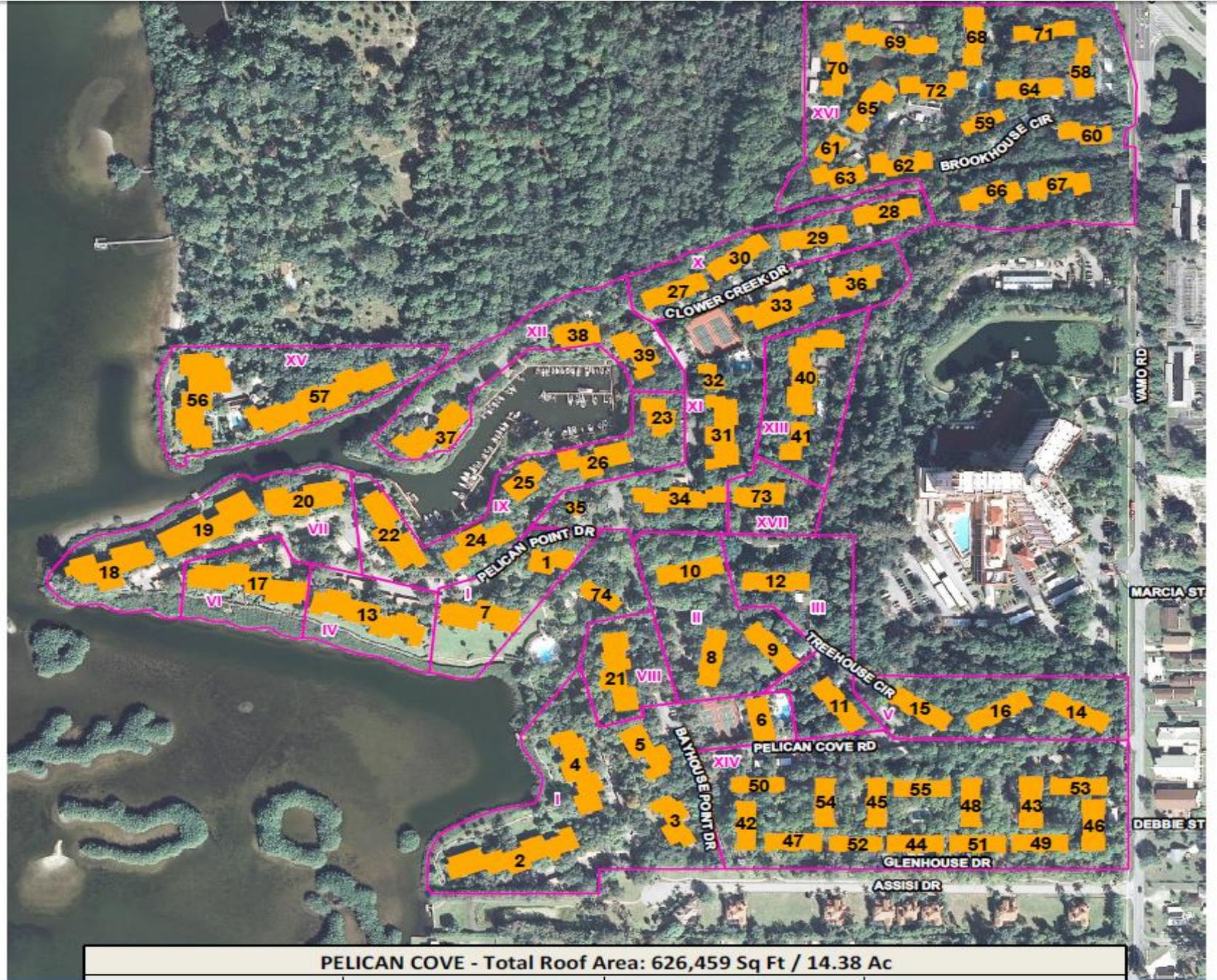
Energy Savings





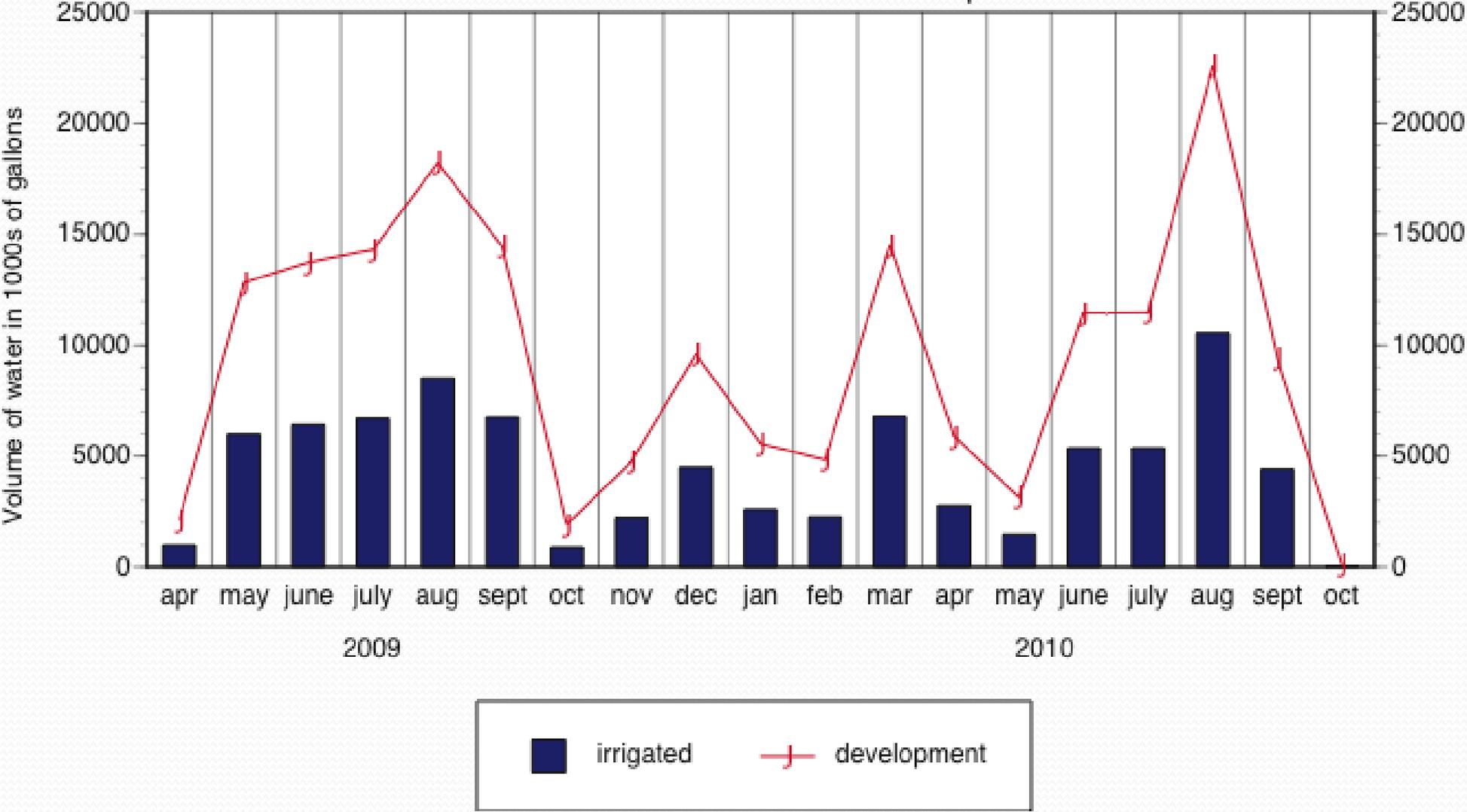
Pelican Cove :

731 unit water front community built in late 70's. Alternative water committee researching water use and stormwater issues for last 19 months.

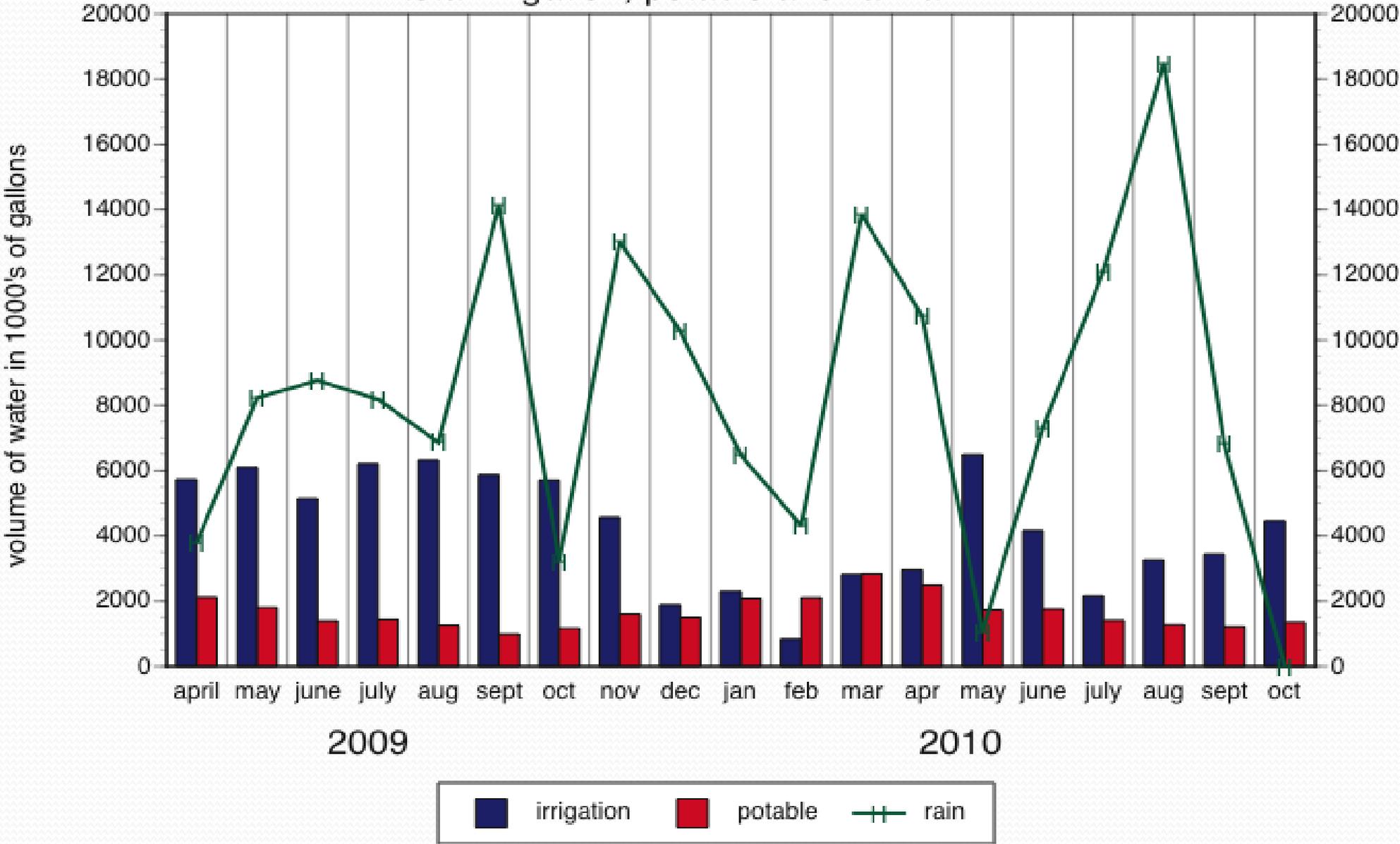


**PELICAN COVE - Total Roof Area: 626,459 Sq Ft / 14.38 Ac**

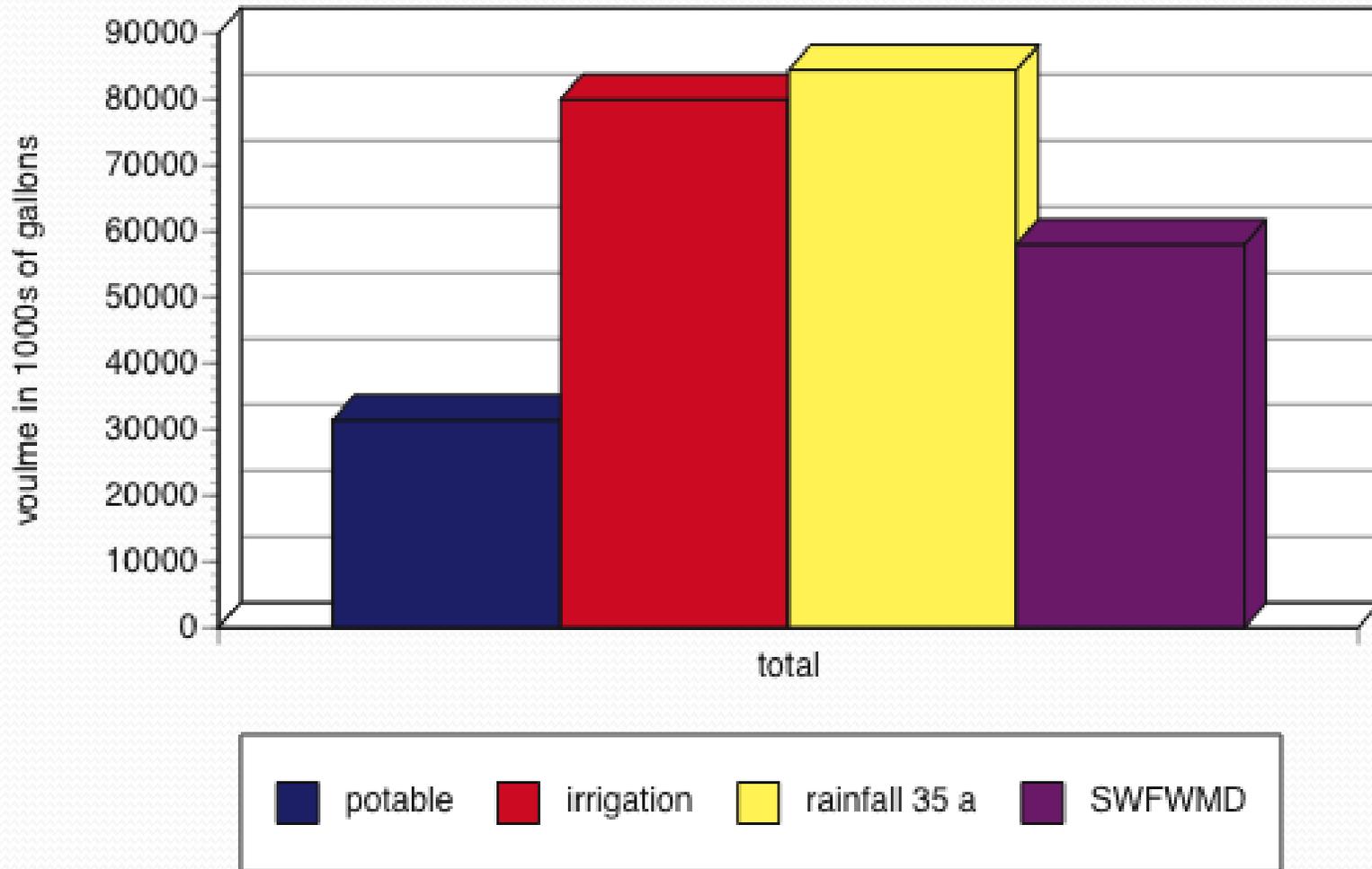
# Comparing Rainfall Volume on irrigated landscape to rainfall volume of the entire development



# Comparative Water Volumes total irrigation, potable and rainfall

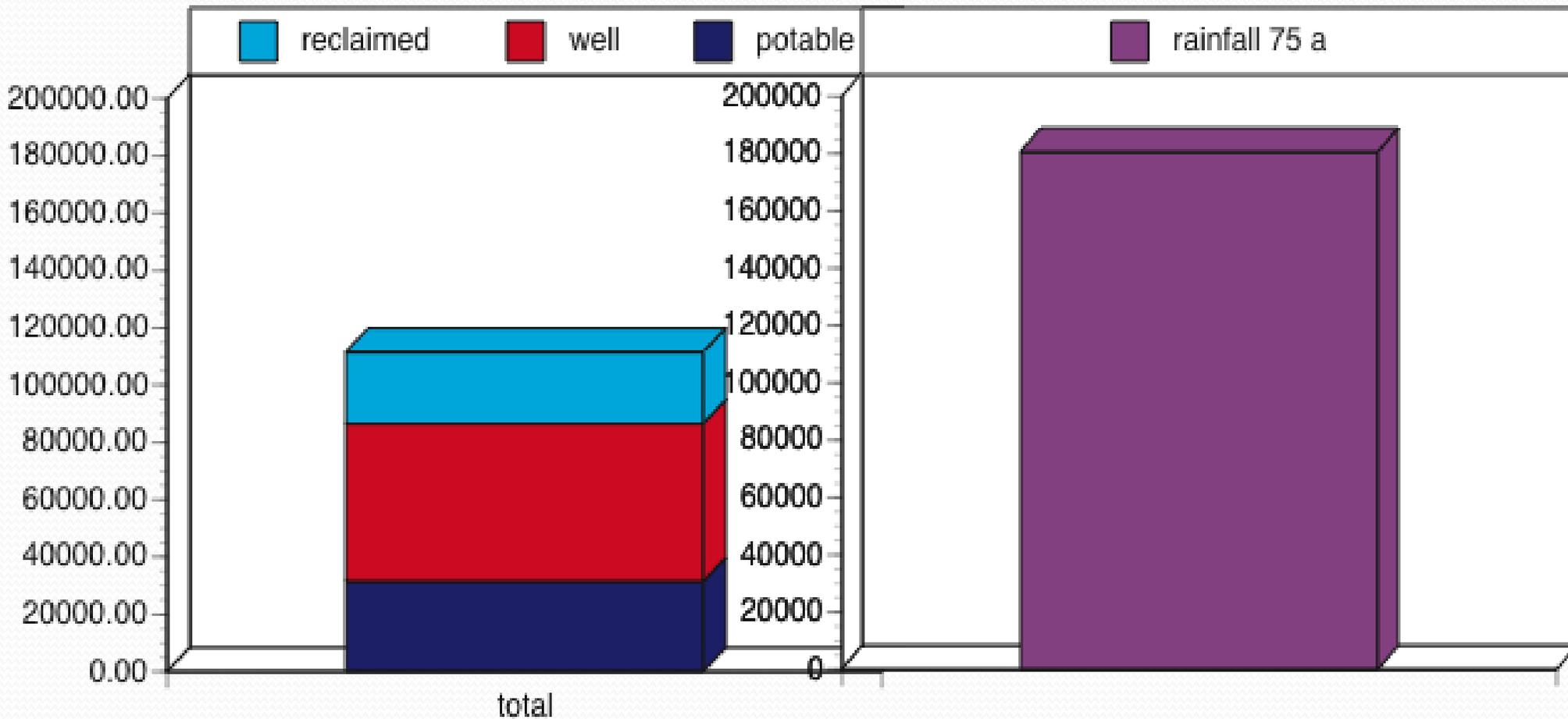


## Total water volume by type for the 19 month study (April 2009 - Oct 2010)

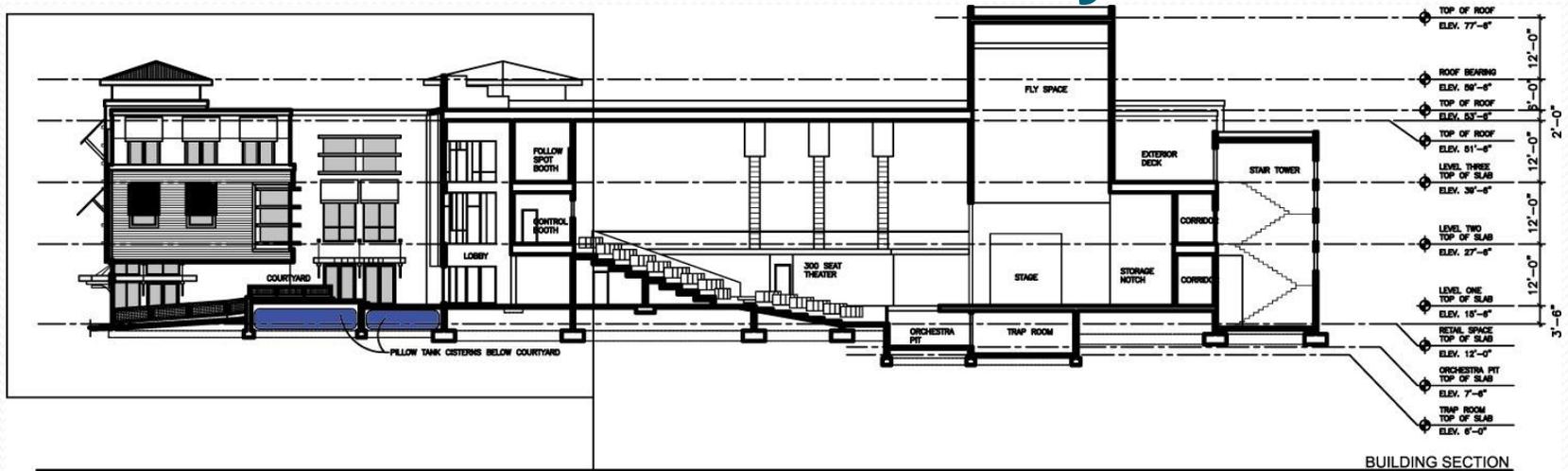


SWFWMD suggests the equivalent of 0.75 inches of precipitation per week as the water volume needed to maintain landscape, or a volume of 58,055,498 gallons for the 35 acres during the 19 months.

Rainfall could fulfill the water needs of Pelican Cove with proper catchment capabilities, regulations and financing



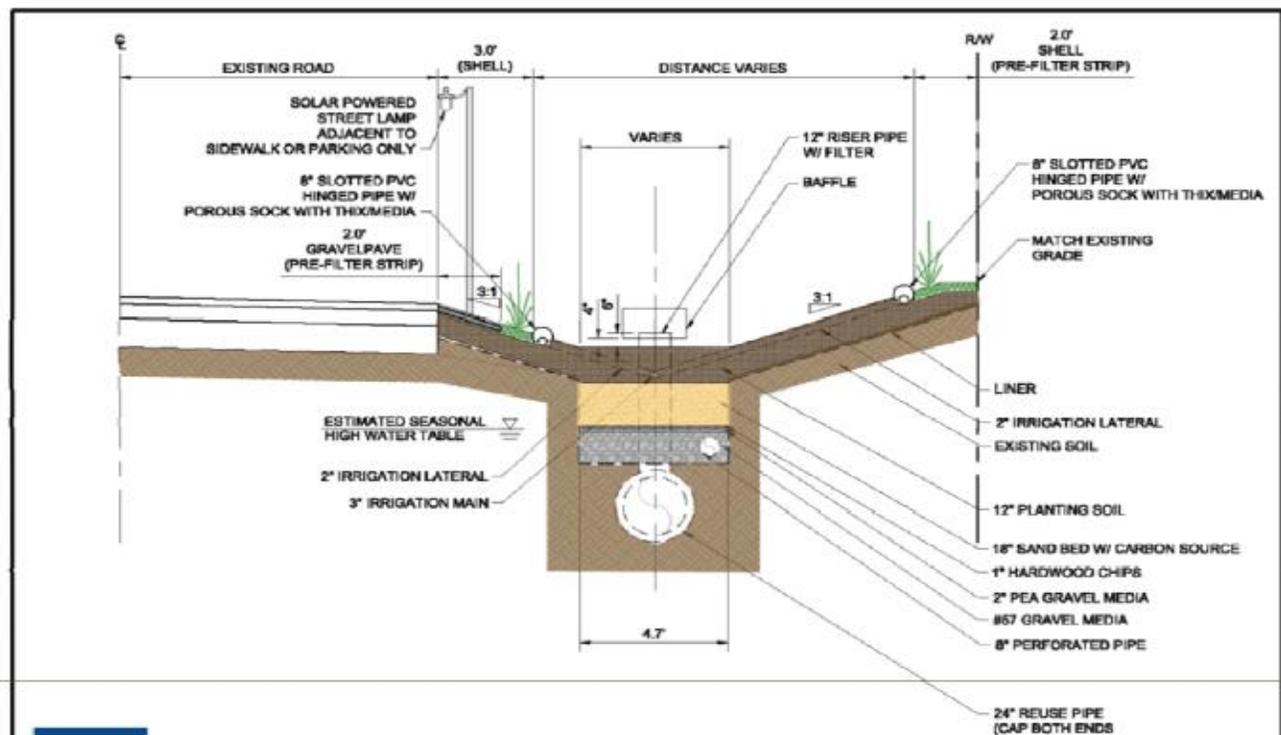
# Section With Bladder Cistern Under Elevated Courtyard



# Artist Rendering of Bioswale Near Playhouse Project



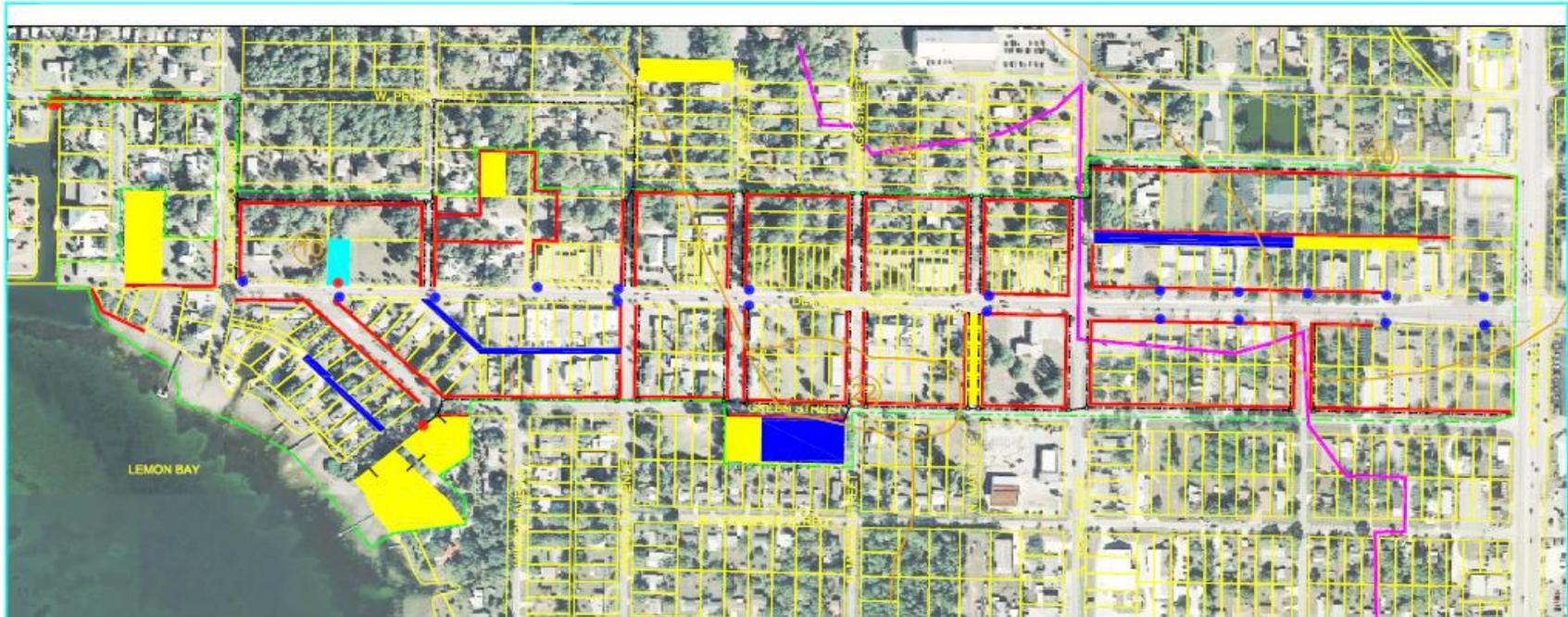
## Typical Biofiltration with Reuse Pipe (Side Streets)



DMK Associates, Inc.  
435 Commercial Court, Suite 200  
Venice, Florida 34292  
(941) 412-1293

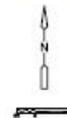
TYPICAL BIOFILTRATION WITH REUSE PIPE  
(SIDE STREETS)





**LEGEND**

- |  |  |
|--|--|
|  BASIN LINE<br>GOTTFRIED (EAST); LEMON BAY COASTAL (WEST) |  BIOFILTRATION SWALE              |
|  PILOT LID PROJECT LIMITS                                 |  BIO RETENTION/BIOFILTRATION POND |
|  DISCHARGE PIPE   |  PERVIOUS SURFACE                 |
|  REUSE PIPE   |  IRRIGATION POND                  |
|  DISCHARGE & REUSE PIPE                                   |  HYDRODYNAMIC SEPARATOR           |
|  SCS SOIL CLASSIFICATION NUMBER                           |  CATCH BASIN INSERTS              |
|  SCS SOIL BOUNDARY  |  CATCH BASIN                      |





Project:  
Veteran's Memorial, Freedom Pavilion & Harbor Ln Restrooms/Pavilion  
10 Harbor Lane Englewood, FL

Owner:



Sarasota County Board of County Commissioners  
1660 Ringling Blvd.  
Sarasota, FL 34236

Architect:



Suncoast Architect, Inc.  
300 W. Dearborn St.  
Englewood, FL 34223

- Rainwater Harvesting and Stormwater reuse have the potential to engage stakeholders in a resilient state water strategy rather than broker withdrawal and demand.
- Water, once a public common, now a multi-strategized commodity, can be reconsidered as a tool for increased security, public well fare, and state cost savings.
- Rainwater Harvesting: where common sense, commerce and conservation combine !



**[www.rdcisterns.com](http://www.rdcisterns.com)**

**941.525.3655**