

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Date: March 19, 1998 Revised: 3/23/98 _____

Subject: Vietnam Veterans

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Cooper</u>	<u>Yeatman</u>	<u>CA</u>	<u>Fav/1 amendment</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

Senate Bill 1260 redefines the definition of the term “veteran” for the purposes of the Florida Statutes. The Vietnam Era is redefined as the time period of February 28, 1961, to May 7, 1975.

This bill amends section 1.01, Florida Statutes.

II. Present Situation:

The Florida Statutes define the term “veteran” as a person who served in the active military, naval, or air service and who was discharged or released under honorable condition or who later received an upgraded discharge under honorable conditions. To receive any benefits granted to wartime veterans under Florida Law, a veteran must have served during one of the periods of wartime service as defined in the statutes. Section 1.01(14), F.S., designates the time period of *August 5, 1964, to May 7, 1975, as the Vietnam Era.*

Wartime veterans are afforded certain benefits under Florida Law. Pursuant to s. 295.07(1)(c), F.S., the state and its political subdivisions must give preference in appointment and retention in positions of employment to, among others, wartime veterans. Pursuant to s. 295.08, F.S., preference points for wartime veterans, among others, are granted in competitive examinations with the state or its political subdivisions, provided they have otherwise obtained a qualifying score on the examination for the position. Pursuant to s. 295.125, F.S., Vietnam wartime veterans are to be given preference, under certain conditions, in determining order of admission or acceptance into state supported vocational-technical schools. Pursuant to s. 296.08, F.S., veterans with wartime service are granted admittance priority into the Florida Veteran’s Domiciliary Home. Pursuant to s. 296.36, F.S., wartime veterans are eligible for admittance into a Florida Veteran’s Nursing Home.

Veterans may also be eligible for retirement credit under the Florida Retirement System (FRS). Pursuant to s. 121.111(1), F.S., FRS members who take a leave of absence to serve in the military, under specified conditions, can obtain credit in the FRS for their military service. Pursuant to subsection (2), wartime veterans, as defined in s. 1.01(14), F.S., and under specified conditions, may purchase up to 4 years credit in FRS for the time they spent serving in the military.

Additional benefits are also available to certain wartime and peacetime disabled veterans under Florida Law.

III. Effect of Proposed Changes:

Senate Bill 1260 redefines the definition of the term “veteran” for the purposes of the Florida Statutes. The Vietnam Era is redefined as the time period of February 28, 1961, to May 7, 1975. Current law designates the Vietnam Era as the time period of August 5, 1964, to May 7, 1975. Thus, the bill increases the number of veterans that may benefit from statutory benefits granted to wartime veterans.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to a representative from the Division of Retirement, Department of Management Services, the amount paid to purchase FRS credit pursuant to s. 121.111(2), F.S., typically does not fund the benefit granted to the veteran. While DMS cannot estimate the number of veterans who would be eligible for this benefit under this bill, they estimate that the bill will not have a significant actuarial impact on the FRS Trust Fund and does not require a rate of increase at this time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

#1 by Community Affairs:

This amendment specifies that service between February 28, 1961 and August 4, 1964 qualifies as “wartime” service only if the veteran actually served in the Republic of Vietnam during that time period.