March Liaison report

The 2019 legislature has completed all of its pre-Session interim committee meetings and is now 1/3rd finished with its 60-day Regular Session. As you can see below, there has been a lot of action over the last three weeks. However, bear in mind that my 43 years of lobbying tells me that the “real session”—the crunch time when most of the heavy lifting is done—is probably another three weeks away. That is when the budget will start coming together and when the real controversial bills will likely come into play. Having said that, veterans’ issues are moving and I am optimistic that we will have a good year. Stay tuned.

Budget Bills

As mentioned last month, the budget process in the House differs from that in the Senate. In the Senate, the various budget subcommittees craft the initial proposals and then hold a series of meetings to fine tune the product. In the House, individual House members file single-subject bills advocating a particular budget item, usually some project within the House member’s district. The bills are then heard in committee and, if passed, may find their way into the final House budget proposal. Below are some of the issues that I have identified as being relevant to veterans in general, including Marine Corps veterans and their families. At this stage of the process, a bill itself has little detail, but each bill does contain a ‘Project Request” reference number to a more detailed description as to what the bill does. Rather than include all of these details in this report on bills that have yet to move, interested persons can pull up the bill, get the “Project Request” number and get copies from the House Appropriations Committee.

On the other hand, some of those bills have had their hearings in committee, and are at least eligible to be included in the House’s budget proposal. They include:


HB 4411 by Rep. A. Rodriguez—appropriates $500,000 to fund the Miami Military Museum Operations. It also passed out of the House Transportation & Tourism Appropriations Subcommittee on March 6th.

HB 3051 by Rep. Grant—passed out of the House Transportation & Tourism Appropriations Subcommittee on March 5th. It appropriates $1,000,000 to fund the Building Homes for Heroes project. It will be used to build, modify, maintain and enhance homes for the benefit of Florida veterans, their family members and Gold Star Families.

HB 2403 by Rep. Byrd—passed out of the House Health Care Appropriations Subcommittee on March 6th. It appropriates $2,100,000 to fund construction of the K9s for Warriors-Warriors
Resources Center in Ponte Verde. It will provide housing, services, and support for the “K9s for Warriors” core mission of providing Service Dogs for military veterans suffering with PTSD, TBI and MST. See, also, HB 3549, below.

**HB 3311 by Rep. LaRosa**—passed out of the Health Care Appropriations Subcommittee on March 6th. It appropriates $2,000,000 to fund the McCormick Research Institute-Veterans Service Center.

**HB 3351 by Rep. Ponder**—passed out of the Health Care Appropriations Subcommittee on March 7th. It appropriates $2,000,000 to fund the Alternative Treatment for Veterans – University of South Florida.

**HB 3511 by Rep. Fernandez-Barquin**—passed out of the Justice Appropriations Subcommittee on March 7th. It appropriates $262,571 to fund the Miami-Dade Veterans Treatment Court.

**HB 3549 by Rep. Fernandez-Barquin**—passed out of the Health Care Appropriations Subcommittee on March 7th. It appropriates $500,006 to fund K9s for Warriors – Training Service Dogs. It will be used to provide acquired dogs with clean, safe kennel housing, temperament testing, veterinary care, food and water, and training to become certified Service Dogs for 20 Florida based veterans who graduate from K9s For Warriors 21 days in-house training program that helps mitigate the effects of their PTSD and help prevent veteran suicide. See, also, HB 2403, above.

**HB 3281 by Rep. Killebrew**—passed out of the Health Care Appropriations Subcommittee on March 7th. It appropriates $389,000 to fund the Florida Veterans Foundation Veteran Aid and Attendance Benefit Initiative.


**Pre Filed Appropriation Request Yet To Be Heard**

**HB 2279 by Rep. Ponder**—appropriate $2,025,000 for the Northwest Florida State College-Veterans Success Center. As mentioned above, with this and many of the requests to follow, we will not discuss the specifics of what the money would be used for until it is heard in committee. However, since it appears on its face to apply to veterans, we will follow it until we find out otherwise.

**HB 2327 by Rep. Geller**—appropriates $285,000 to fund the Veterans Park Expansion and Development in Liberty County. This is one of several requests we will follow. We are not sure if it “benefits” veterans, but it does seem to “honor” veterans.

**HB 2425 by Rep. McClain**—appropriates $2,200,000 to fund the Marion County State Veterans Nursing Home.


HB 3977 by Rep. Stevenson—appropriates $170,000 to fund the World War II Veterans Exhibition Collections and Programs in St. Johns County.

As we go to press, the House and Senate have each released their proposed budget numbers. The overall House budget totals $89.9 billion and the Senate’s comes in at $90.3 billion. This compares to the Governor’s proposed budget of $91.3 billion. While the numbers on their face appear to be relatively close, the devil is in the details on how they will be allocated.

Other Committee Action

CS/SB 292 by Sen. Lee passed out of the Senate Military and Veterans Affairs and Space Committee on Wednesday, March 6th, and the Education Committee on March 19th. It provides that district school boards may not prohibit students from lawfully wearing the uniform of any branch of the military or naval services of the U. S. or of the state at graduation ceremonies. Its House companion, CS/HB 225 by Rep. Beitran & others, passed out of the House Pre-K-12 Quality Subcommittee on March 19th and out of the House Local, Federal & Veterans Affairs Sub Committee on March 26th, after being amended to clarify that a student who has completed basic training and is an active member of the U. S. Armed Forces or the National Guard is also eligible to wear their uniforms at graduation. The bills now have similar language and each has only one more committee stop before going to the floor. Final passage looks promising.

CS/CS/HB 217 by Reps. Hattersley, Ponder and 16 other requires state universities, Florida College System institutions, career centers operated by a school district and charter technical centers to waive the transcript fee for active duty members and honorably discharged veterans of the U.S. Armed Forces, and their spouses and dependents. On March 14th, it passed out of its third and final House committee, the full Education Committee, where it was further amended as CS/CS HB 217. In this latest form:

- “Academic college credit” was changed to “postsecondary credit” to include career credit offered by FCS institutions and career centers & technical colleges;
- It provides for a working group to develop a uniform process for determining when military experience if appropriate for postsecondary credit; and
- Establishes membership for the working group to include two members representing veterans appointed by the executive director of the Department of Veterans Affairs.
- Provides for a waiver of any transcript fee for a person who is an active duty member or an honorably discharged veteran of the Armed Forces of the U.S. and his or her spouse and dependents.
Its Senate companion, CS/CS/SB 442 by Sens. Lee, Broxson, Cruz & Mayfield, is also moving. It passed out of the Senate Education Committee on March 12th and the Military & Veterans Affairs and Space Committee on March 26th, where it was amended to make the language similar to the House version. It has one more stop before going to the Senate floor. Final passage looks promising.

**HB 7013 by Rep. Smith** passed out of the House Local, Federal & Veterans Affairs Subcommittee on March 5th, and the Education Committee on March 14th. It is now before the full House awaiting the arrival of its Senate companion. It re-enacts the Interstate Compact on Educational Opportunities for Military Children. The purpose of this compact is to enable member states to uniformly address educational transition issues faced by military families. It governs several areas, including placement, enrollment, records transfers and graduation for children of active duty military families. All 50 states and the District of Columbia are compact members. It must be re-authorized for Florida or it will expire on July 1, 2019. Its Senate companion, SB 212 by Sen. Wright passed out of the Senate Military and Veterans and Space Committee on February 7th, the full Appropriations Committee on February 21st, and the full Senate on March 7th. Is now in Messages to the House, where it will be substituted for its House companion, passed and sent to the Governor for his signature.

**SB 202 by Sen. Wright**—passed out of the Senate Community Affairs Committee on March 5th. It would increase from $500 to $5,000, the property tax exemption for widows, widowers, blind persons and persons totally and permanently disabled. Among those entities that can determine whether a person is totally and permanently disabled is the U. S. Department of Veterans Affairs. Its House companion, **HB 51 by Rep. Sirois**, has yet to move.

**CS/HB 891 by Reps. Ponder and Raschein**—passed out of the House Local, Federal & Veterans Affairs Subcommittee on March 26th. It amends s. 163.3175, F.S. to expand the list of military installations that are covered under “compatibility” agreements with nearby local governments. It amends various other statutes dealing with easements on military installations (see the bill for details). It amends s. 1003.05, F.S. to provide that public schools must accept a permanent change of station order that relocates a military family to a local military installation as proof of residency. Finally, it provides residency tuition protection dating from the time of acceptance as proof of residency to a Florida College System institute or state university. It eliminates reference to rental property deposits contained in the original bill. It is effective July 1, 2019. Its Senate companion, **SB 620 by Sen. Broxson**, has yet to move.

As reported last month, on February 21st, in its last meeting before the start of the Regular Session, the House Criminal Justice Subcommittee took up a bill of interests to veterans. **HB 513 by Reps. Smith and Fitzenhagen** is a bill entitled an act relating to missing persons. According to the staff analysis, there is evidence that, due to the nature of their service, military personnel are at greater risk of suffering from a mental health condition such as PTSD or have sustained a traumatic Brain Injury (TBI). Currently, neither a veteran nor active duty military
service member suffering from PTSD or TBI qualifies for SILVER ALERT activation unless they are 60 years old or older.

Rep. Smith, a 30-year Marine Corps veteran, proposes to create a CAMO ALERT. It would create a missing person alert for an at-risk veteran or active duty military service member, regardless of age:

- Who is known to suffer from a mental illness, including PTSD or a TBI, and
- Whose disappearance poses a creditable threat to his or her own, or another’s health & safety.

Debate on the bill showed a divergence of opinion by veterans on the effect of the bill. Some suggested that “creditable threat” is an undefined term that could cause misapplication in less clear circumstances. Perhaps the strongest objection came from veterans not suffering from PTSD or TBI that contended that widespread use of a CAMO Alert could be a stigma on all veterans, and could lead to problems getting employment. There was enough concern raised by members of the committee to put passage of the bill in its present form in jeopardy. Rather than voting on the bill in its present form, the committee temporarily postponed (TP’ed) the bill. As of this printing, the bill has yet to be heard again, nor has its Senate Companion, SB 1166 by Sen. Torres.

There is however, another related bill that is moving. CS/HB 305 by Rep. Ausley passed out of the House Criminal Justice Subcommittee on February 21st. The bill provides for an alert to be issued for those adults not qualifying for a Silver Alert, but unlike the above bill, it makes no reference to PTSD or TBI and is not called a Camo Alert. Additionally, it has specific language providing for the protection of the civil liberties of privacy, dignity, independence and autonomy of the missing adult, and narrows the geographic area in which an alert can be posted. Its Senate companion, CS/SB 844 by Sen. Berman passed out of the Senate Infrastructure and Security Committee on February 21st in a similar form.

On February 20th, the House Children, Families & Senior’s Subcommittee passed as amended, CS/CS/HB 365 by Reps. Hattersley, Webb & 9 others. On March 21st, the House Health & Human Services Committee further amended it to give the Department of Children & Families the discretion to do the program, rather than mandating it be done. The bill now allows the Department of Children and Families (DCF) to create the Florida Veteran’s Care Coordination Program to provide statewide, dedicated behavioral healthcare referral services to veterans and their families through Florida’s 211 Network. It is modeled after a 2014 pilot project. If DCF establishes the program, they are required to contract with the managing entities to enter into agreements with Florida 211 Network participants to provide program services. Its Senate companion, CS/SB 1222 by Sen. Harrell, passed out of the Senate Military & Veterans Affairs and Space Committee on March 26th in a similar form.
CS/HB 891 by Reps. Ponder and Raschein passed out of the House Local, Federal and Veterans Affairs Subcommittee for March 26th. The bill makes changes relating to military buffering and conservation easements, and education pertaining to military personnel. Specifically, the bill:

- Adds two military installations to a list of installations that may exchange certain information with local governments regarding compatibility of land development;
- Provides that conservation easements, created for the purpose of preventing encroachment to military installations, survive property tax deed sales;
- Requires school districts to accept permanent change of station orders as proof of residency of dependent children for admission to district programs; and
- Revises requirements for servicemembers and their families to be classified as Florida residents for tuition purposes.

It is effective July 1, 2019. See the bill for details. Its Senate companion, SB 620 by Sen. Broxson, has yet to move.

Bills Reported On Earlier That Have Yet To Move

SB 386 by Sen. Farmer—creates a new s. 295.25, F.S. which provides that the Florida Department of Transportation may install directional signs for community-based outpatient clinics, centers, benefit offices, and national cemeteries operated and maintained by the U.S. Department of Veterans Affairs on the right-of-way on interstate highways and primary and secondary roads in accordance with Florida’s Highway Guide Sign Program. It is effective July 1, 2019 and has yet to have a House companion bill.

SB 688 by Sen. Diaz—amends s. 320.o848 F.S., to add a physician assistant licensed under Chapter 458, a chiropractic physician licensed under Chapter 460 and a physical therapist licensed under Chapter 486 to the list of those who may issue disabled parking permits. It is effective July 1, 2019. Its House companion is HB 343 by Reps. Yarborough, Good and Raschein. Neither bill has been heard at this time.

Other Issues

The Florida Supreme Court has approved a change to The Florida Bar’s rules of admissions that will allow the spouse of an active duty service member stationed in Florida, who is admitted to practice law in another state, to practice law in Florida for up to five years without having to take the Florida Bar exam. Certain requirements apply.

On Tuesday, March 26th, the Senate Military and Veterans Affairs and Space Committee voted in favor of Daniel W. Burgess, Jr. becoming the Executive Director of the Department of Veterans’ Affairs. The confirmation has one more stop in the Senate Ethics and Elections Committee before going to the full Senate for a final vote.

Respectfully Submitted--Jim Brainerd, Judge Advocate, MCL Detachment 472