

1 A bill to be entitled
2 An act relating to Military and Veteran Support;
3 amending s. 250.10, F.S.; revising participation
4 requirements and authorizing certain courses for the
5 Educational Dollars for Duty program; providing
6 appropriations; amending s. 250.35, F.S.; updating
7 references with respect to courts-martial; creating s.
8 265.004, F.S.; establishing the Florida Veterans' Walk
9 of Honor and the Florida Veterans' Memorial Garden;
10 directing the Department of Management Services, in
11 consultation with the direct support organization of
12 the Department of Veterans' Affairs, to make available
13 space for such purpose; amending ss. 295.065, 295.07,
14 295.08, and 295.085, F.S.; revising and providing
15 governmental employment preference for certain
16 persons; amending ss. 296.06, and 296.36, F.S.;
17 revising the eligibility requirements for residency in
18 the Florida State Veterans' Domiciliary Home and
19 admittance to a state veterans' nursing home; amending
20 s. 455.213, F.S.; extending the application deadline
21 for military veterans to have certain fees waived by
22 the Department of Business and Professional Regulation
23 and waiving such fees for the spouses of veterans;
24 amending s. 499.012, F.S.; providing that specified
25 military service meets certain permitting
26 requirements; amending s. 1009.26, F.S.; directing

27 state universities and Florida College System
 28 institutions to waive certain fees for veterans;
 29 providing applicability; providing an effective date.
 30

31 Be It Enacted by the Legislature of the State of Florida:
 32

33 Section 1. Subsections (7) and (8) of section 250.10,
 34 Florida Statutes, are amended, and subsection (9) is added to
 35 that section, to read:

36 250.10 Appointment and duties of the Adjutant General.—

37 (7) The Adjutant General shall develop an education
 38 assistance program for members in good standing of the Florida
 39 National Guard who enroll in an authorized course of study at a
 40 public or nonpublic institution of higher learning in the state
 41 which has been accredited by an accrediting body recognized by
 42 the United States Department of Education or licensed by the
 43 Commission for Independent Education. This program shall be
 44 known as the Educational Dollars for Duty program (EDD).

45 (a) The program shall set forth application requirements,
 46 including, but not limited to, requirements that the applicant:

- 47 1. Be 17 years of age or older.
- 48 2. Be presently domiciled in the state.
- 49 3. Be an active drilling member and in good standing in
 50 the Florida National Guard at the beginning of and throughout
 51 the entire academic term for which benefits are received.
- 52 4. Maintain continuous satisfactory participation in the

53 Florida National Guard for any school term for which exemption
 54 benefits are received.

55 5. Upon enrollment in the program, complete a memorandum
 56 of agreement to:

57 a. Comply with the rules of the program. ~~and~~

58 b. Serve in the Florida National Guard for the period
 59 specified in the member's enlistment or reenlistment contract.

60 c. Authorize the release of information by the institution
 61 of higher learning to the Florida Department of Military
 62 Affairs. An institution of higher learning that accepts funding
 63 from the program will provide course enrollment, course
 64 withdrawal, course cancellation, course completion or failure,
 65 and grade verification directly to the Education Service Office
 66 of the Florida Department of Military Affairs.

67 (b) The program shall define those members of the Florida
 68 National Guard who are ineligible to participate in the program
 69 and those courses of study which are not authorized for the
 70 program.

71 1. Ineligible members include, but are not limited to, any
 72 member, commissioned officer, warrant officer, or enlisted
 73 person who has obtained a master's degree using the program.

74 2. Courses not authorized include noncredit courses,
 75 courses that do not meet degree requirements, courses that do
 76 not meet requirements for completion of career training, or
 77 other courses as determined by program definitions.

78 3. Developmental education courses are authorized for the

79 program.

80 4. Online courses may be approved by the Adjutant General
 81 for the program, subject to rules adopted pursuant to paragraph
 82 (c). Courses offered as part of a preeminent state research
 83 university's institute for online learning, as designated by s.
 84 1001.7065, are expressly authorized for the program.

85 5. When appropriate, the Adjutant General should encourage
 86 a participant in the program to participate in the Complete
 87 Florida Degree Program under s. 1006.735.

88 6. Courses leading to a degree offered by a Florida
 89 College System institution as part of the Governor's \$10,000
 90 Degree Challenge are authorized for the program.

91 7. The program may not pay repeat course fees.

92 (c) The Adjutant General shall adopt rules for the overall
 93 policy, guidance, administration, implementation, and proper use
 94 of the program. Such rules must include, but not be limited to:7

95 1. Guidelines for certification by the Adjutant General of
 96 a guard member's eligibility.7

97 2. Procedures for notification to an institution of a
 98 guard member's termination of eligibility.~~7~~~~and~~

99 3. Procedures for restitution when a guard member fails to
 100 comply with the penalties described in this section.

101 4. A framework for approving online courses of study
 102 offered as part of a preeminent state research university's
 103 institute for online learning, as designated by s. 1001.7065.

104 (8) Subject to appropriations, the Department of Military

105 Affairs may pay the full cost of tuition and fees for required
106 courses for current members of the Florida National Guard.
107 Members are eligible to use the program upon enlistment in the
108 Florida National Guard. If a member is enrolled in a nonpublic
109 postsecondary education institution or a nonpublic vocational-
110 technical program, the Department of Military Affairs shall pay
111 an amount equal to the amount that would be required to pay for
112 the average tuition and fees at a public postsecondary education
113 institution or public vocational-technical program.

114 (a) The Department of Military Affairs may reimburse
115 student book costs and fees in accordance with limits set each
116 fiscal year based on funding availability and ultimately at the
117 Adjutant General's discretion.

118 (b)~~(a)~~ A member may participate in the program if he or
119 she maintains satisfactory participation in, and is an active
120 drilling member of, the Florida National Guard. Inactive members
121 of the Florida National Guard and members of the Individual
122 Ready Reserve (IRR) are not eligible to participate in the
123 program.

124 (c)~~(b)~~ Penalties for noncompliance with program
125 requirements include, but are not limited to, the following:

126 1. If a member of the Florida National Guard receives
127 payment of tuition and fees for any academic term and fails to
128 maintain satisfactory participation in the Florida National
129 Guard during that academic term, the member shall reimburse the
130 Department of Military Affairs all tuition charges and student

131 fees for the academic term for which the member received
 132 payment.

133 2. If a member of the Florida National Guard leaves the
 134 Florida National Guard during the period specified in the
 135 member's enlistment or reenlistment contract, the member shall
 136 reimburse the Department of Military Affairs all tuition charges
 137 and student fees for which the member received payments,
 138 regardless of whether the obligation to reimburse the department
 139 was incurred before, on, or after July 1, 2009, unless the
 140 Adjutant General finds that there are justifiable extenuating
 141 circumstances.

142 3. If the service of a member of the Florida National
 143 Guard is terminated or the member is placed on scholastic
 144 probation while receiving payments, the member shall reimburse
 145 the Department of Military Affairs all tuition charges and
 146 student fees for the academic term for which the member received
 147 payment.

148 4. If a member defaults on any reimbursement made under
 149 this paragraph, the department may charge the member the maximum
 150 interest rate authorized by law.

151 (9) Beginning in the 2014-2015 fiscal year, the sum of
 152 \$14,500,000 in recurring funds is appropriated from the General
 153 Revenue Fund to the Department of Military Affairs to pay the
 154 full tuition and fees, not to exceed the in-state rate at the
 155 applicable institution, for all Florida National Guard members
 156 deployed on or after October 31, 2013.

157 (a) If an eligible Florida National Guard member wishes to
 158 benefit from funds appropriated pursuant to this subsection, he
 159 or she must, within one year after the end of his or her
 160 deployment, enroll in a classroom-based or online baccalaureate
 161 degree program at a state university system institution or must
 162 enroll in a classroom-based or online degree program at a
 163 Florida College System institution.

164 (b) The Department of Military Affairs shall ensure that
 165 each Florida National Guard member benefitting from funds
 166 appropriated pursuant to this subsection meets the eligibility
 167 criteria and application requirements for the Educational
 168 Dollars for Duty program.

169 (c) For the 2014-2015 fiscal year, the sum of \$1,000,000
 170 in non-recurring funds is appropriated from the General Revenue
 171 Fund to the Florida Department of Military Affairs for the
 172 purpose of information technology upgrades to accommodate the
 173 administration and auditing of the Educational Dollars for Duty
 174 program.

175 Section 2. Subsections (1) and (2) of section 250.35,
 176 Florida Statutes, are amended to read:

177 250.35 Courts-martial.—

178 (1) The Uniform Code of Military Justice (UCMJ), 10 U.S.C.
 179 ss. 801 et seq., and the Manual for Courts-Martial (2012 ~~2008~~
 180 Edition) are adopted for use by the Florida National Guard,
 181 except as otherwise provided by this chapter.

182 (2) Courts-martial may try any member of the Florida

183 National Guard for any crime or offense made punishable by the
 184 Uniform Code of Military Justice (2012 ~~2008~~ Edition), except
 185 that a commissioned officer, warrant officer, or cadet may not
 186 be tried by summary courts-martial.

187 Section 3. Section 265.004, Florida Statutes, is created
 188 to read:

189 265.004 Florida Veterans' Walk of Honor and Florida
 190 Veterans' Memorial Garden.—

191 (1) To recognize and honor those military veterans who
 192 have made significant contributions to the state through their
 193 service to the United States, the Florida Veterans' Walk of
 194 Honor and the Florida Veterans' Memorial Garden are established.

195 (2) The Florida Veterans' Walk of Honor and the Florida
 196 Veterans' Memorial Garden shall be administered by the direct-
 197 support organization of the Department of Veterans' Affairs
 198 without funding from the state. However, donations made to the
 199 Florida Veterans' Walk of Honor and the Florida Veterans'
 200 Memorial Garden shall be credited to the direct-support
 201 organization of the Florida Department of Veterans' Affairs and
 202 used solely to support the Florida Veterans' Walk of Honor, the
 203 Florida Veterans' Memorial Garden, and other efforts of the
 204 direct-support organization.

205 (3) The Department of Management Services, in consultation
 206 with the Department of Veterans' Affairs and the direct support
 207 organization of the Department of Veterans' Affairs, shall make
 208 available space on the Capitol Complex grounds for the

209 construction of the Florida Veterans' Walk of Honor and the
 210 Florida Veterans' Memorial Garden.

211 Section 4. Section 295.065, Florida Statutes, is amended
 212 to read:

213 295.065 Legislative intent.—It is the intent of the
 214 Legislature to provide preference and priority in the hiring
 215 practices of this state as set forth in this chapter. In all
 216 written job announcements and audio and video advertisements
 217 used by employing agencies of the state and its political
 218 subdivisions, there shall be a notation that certain veterans,
 219 ~~and spouses~~ and family members of veterans, and servicemembers
 220 receive preference and priority in employment by the state and
 221 are encouraged to apply for the positions being filled.

222 Section 5. Subsections (1) and (3) of section 295.07,
 223 Florida Statutes, are amended to read:

224 295.07 Preference in appointment and retention.—

225 (1) The state and political subdivisions in the state
 226 shall give preference in appointment and retention in positions
 227 of employment to:

228 (a) Those disabled veterans:

229 1. Who have served on active duty in any branch of the
 230 Armed Forces of the United States, have received an ~~been~~
 231 ~~separated therefrom under~~ honorable discharge conditions, and
 232 have established the present existence of a service-connected
 233 disability that ~~which~~ is compensable under public laws
 234 administered by the United States ~~U.S.~~ Department of Veterans

235 ~~Veterans'~~ Affairs;7 or

236 2. Who are receiving compensation, disability retirement
 237 benefits, or pension by reason of public laws administered by
 238 the United States ~~U.S.~~ Department of Veterans ~~Veterans'~~ Affairs
 239 and the United States Department of Defense.

240 (b) The spouse of any person who has a total disability,
 241 permanent in nature, resulting from a service-connected
 242 disability and who, because of this disability, cannot qualify
 243 for employment, and the spouse of any person missing in action,
 244 captured in line of duty by a hostile force, or forcibly
 245 detained or interned in line of duty by a foreign government or
 246 power.

247 (c) A veteran of any war as defined in s. 1.01(14) who has
 248 ~~. The veteran must have served at least 1 day during a wartime~~
 249 ~~period to be eligible for veterans' preference.~~ Active duty for
 250 training shall not be allowed for eligibility under this
 251 paragraph.

252 (d) The unremarried widow or widower of a veteran who died
 253 of a service-connected disability.

254 (e) The mother, father, legal guardian, or unremarried
 255 widow or widower, of a servicemember who died as a result of
 256 military service, as verified by the United States Department of
 257 Defense.

258 (f) A veteran as defined in s. 1.01(14). Active duty for
 259 training shall not be allowed for eligibility under this
 260 paragraph.

261 (g) A current member of any reserve component of the
 262 United States Armed Forces or the Florida National Guard.

263 (2) The Department of Veterans' Affairs shall adopt rules
 264 to ensure that veterans are given special consideration in the
 265 employing agency's selection and retention processes. The rules
 266 must include the award of point values as articulated in s.
 267 295.08, if applicable, or, where point values are not relevant,
 268 must include procedures to ensure that veterans are given
 269 special consideration at each step of the employment selection
 270 process, unless the sponsoring governmental entity is a party to
 271 a collective bargaining agreement, in which case the collective
 272 bargaining agreement must comply within 90 days following
 273 ratification of a successor collective bargaining agreement or
 274 extension of any existing collective bargaining agreement.

275 (3) Preference in employment and retention may be given
 276 only to eligible persons who are described in subsection (1) ~~and~~
 277 ~~who are residents of this state.~~

278 Section 6. Section 295.08, Florida Statutes, is amended to
 279 read:

280 295.08 Positions for which a numerically based selection
 281 process is used.—For positions for which an examination is used
 282 to determine the qualifications for entrance into employment
 283 with the state or political subdivisions in the state, 15 points
 284 shall be added to the earned ratings of any person included
 285 under s. 295.07(1)(a), 10 points shall be added to the earned
 286 ratings of any person included under s. 295.07(1) ~~(a) or (b),~~

287 (c), (d) and (e), and 5 points shall be added to the earned
 288 rating of any person included under s. 295.07(1) ~~(c) and (d)~~ (f)
 289 and (g), if the person has obtained a qualifying score on the
 290 examination for the position. The names of persons eligible for
 291 preference shall be entered on an appropriate register or list
 292 in accordance with their respective augmented ratings. However,
 293 except for classes of positions with Federal Government
 294 designations of professional or technician, the names of all
 295 persons qualified to receive a 10-point preference whose
 296 service-connected disabilities have been rated by the United
 297 States Department of Veterans Affairs or its predecessor or the
 298 United States Department of Defense to be 30 percent or more
 299 shall be placed at the top of the appropriate register or
 300 employment list, in accordance with their respective augmented
 301 ratings. The respective augmented rating is the examination
 302 score or evaluated score in addition to the applicable veteran's
 303 preference points.

304 Section 7. Section 295.085, Florida Statutes, is amended
 305 to read:

306 295.085 Positions for which a numerically based selection
 307 process is not used.—In all positions in which the appointment
 308 or employment of persons is not subject to a written
 309 examination, with the exception of positions that are exempt
 310 under s. 295.07(4), first preference in appointment, employment,
 311 and retention shall be given by the state and political
 312 subdivisions in the state to persons included under s.

313 295.07(1)(a) ~~295.07(1)(a) and (b)~~, and second preference shall
 314 be given to persons included under s. 295.07(1) (b), (c), and (d),
 315 (e), (f) and (g), who possess the minimum qualifications
 316 necessary to discharge the duties of the position involved.

317 Section 8. Paragraph (b) of subsection (2) of section
 318 296.06, Florida Statutes, is amended to read:

319 296.06 State policy; eligibility requirements.—

320 (2) To be eligible for residency in the home, a veteran
 321 must:

322 (b) ~~Have been a resident of the state for 1 year~~
 323 ~~immediately preceding application~~

324 ~~—and~~ Be a resident of the state at the time of application.

325 Section 9. Paragraph (b) of subsection (1) of section
 326 296.36, Florida Statutes, is amended to read:

327 296.36 Eligibility and priority of admittance.—

328 (1) To be eligible for admittance to the home, the person
 329 must be a veteran as provided in s. 1.01(14) or have eligible
 330 peacetime service as defined in s. 296.02 and must:

331 (b) Be ~~Have been~~ a resident of the state ~~for 1 year~~
 332 ~~immediately preceding, and~~ at the time of application for,

333 admission to the home.

334 Section 10. Subsection (12) of section 455.213, Florida
 335 Statutes, is amended to read:

336 455.213 General licensing provisions.—

337 (12) The department shall waive the initial licensing fee,
 338 the initial application fee, and the initial unlicensed activity

339 fee for a military veteran or the spouse of a military veteran
 340 who applies to the department for a license, in a format
 341 prescribed by the department, within 60 ~~24~~ months after the
 342 veteran is discharged ~~discharge~~ from any branch of the United
 343 States Armed Forces. To qualify for this waiver, the veteran
 344 must have been honorably discharged.

345 Section 11. Paragraph (b) of subsection (16) of section
 346 499.012, Florida Statutes, is amended to read:

347 499.012 Permit application requirements.—

348 (16)

349 (b) To be certified as a designated representative, a
 350 natural person must:

351 1. Submit an application on a form furnished by the
 352 department and pay the appropriate fees.†

353 2. Be at least 18 years of age.†

354 3. Have not less than 2 years of verifiable full-time:

355 a. Work experience in a pharmacy licensed in this state or
 356 another state, where the person's responsibilities included, but
 357 were not limited to, recordkeeping for prescription drugs;† ~~or~~
 358 ~~have not less than 2 years of verifiable full-time~~

359 b. Managerial experience with a prescription drug wholesale
 360 distributor licensed in this state or in another state; or

361 c. Managerial experience with the United States military,
 362 where the person's responsibilities included, but were not
 363 limited to, recordkeeping, warehousing, distribution, or other
 364 logistics services pertaining to prescription drugs.†

365 4. Receive a passing score of at least 75 percent on an
 366 examination given by the department regarding federal laws
 367 governing distribution of prescription drugs and this part and
 368 the rules adopted by the department governing the wholesale
 369 distribution of prescription drugs. This requirement shall be
 370 effective 1 year after the results of the initial examination
 371 are mailed to the persons that took the examination. The
 372 department shall offer such examinations at least four times
 373 each calendar year. ~~and~~

374 5. Provide the department with a personal information
 375 statement and fingerprints pursuant to subsection (9).

376 Section 12. Subsection (12) is added to section 1009.26,
 377 Florida Statutes, to read:

378 1009.26 Fee waivers.—

379 (12) (a) There is established the Congressman C. W. Bill
 380 Young Veteran Tuition Waiver Program. A state university or
 381 Florida College System institution shall waive out-of-state fees
 382 for an honorably discharged veteran of the Armed Forces of the
 383 United States, including the National Guard and reserve
 384 components thereof, who physically resides in this state while
 385 enrolled in the institution. Tuition and fees charged to a
 386 veteran who qualifies for the out-of-state fee waiver under this
 387 subsection may not exceed the tuition and fees charged to a
 388 resident student. The waiver is applicable for 110 percent of
 389 the required credit hours of the degree or certificate program
 390 for which the student is enrolled. Each state university and

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391 Florida College System institution shall report to the Board of
 392 Governors and the State Board of Education, respectively, the
 393 number and value of all fee waivers granted annually under this
 394 subsection.

395 (b) This subsection may be cited as the "Congressman C.W.
 396 Bill Young Tuition Waiver Act."

397 Section 13. This act shall take effect July 1, 2014.