

MCLJan2018

Dear Commandant LaMont

January 31, 2018

Attached is my liaison report for the first three weeks of the 2018 legislative session.

The 60-day 2018 Legislative session started on Tuesday, January 9th with its usual pomp and circumstance. However, unlike most Sessions in the past, this one started with major legislation passing the full House during the first week. Reforms of workers' compensation and motor vehicle insurance were passed by Friday and sent to the Senate, where their fate is uncertain. After that fast start, both ends of the hall soon settled down to the give and take of normal committee hearing action.

Budget

Budget hearings continued in the House where, unlike in the Senate, each member's budget issue must have a separate hearing where its sponsor must defend it. However, as the House leadership has made very clear, passage out of a subcommittee only makes the project eligible to be included in the final House budget; it does not mean that it will automatically be included in the House budget. In the Senate, the individual budget issues are usually merged into major budget bills. The reconciling of the two sides usually occurs during the last two weeks of session through a conference committee process. Budget action of interest to the MCL includes:

- HB 2529 by Rep. Boyd—passed out of the House Justice Appropriations Subcommittee of January 10th. It appropriates \$150,000 to fund the Veterans Treatment Court in Manatee County, which aid in the treatment of veterans in the criminal justice system through counseling, case management, housing assistance, and coordinated VA assistance. The Committee also passed similar Veterans Treatment Court appropriations for the following Counties: HB 2513 by Rep. Gruters appropriates \$150,000 for the Sarasota County Veterans Treatment Court; HB 2693 by Rep. Donalds appropriates \$88,500 for the Collier County program; and HB 4023 by Rep. Sullivan appropriates \$299,000 for the Lake County program.
- HB 4021 by Rep Daniels—passed out of the House Transportation & Tourism Appropriations Subcommittee on January 16th. It appropriates \$150,000 to fund the No One Left Behind program, serving Duval, Baker, Clay, Nassau & St. Johns counties. It provides scholarships for vets, their families and others to help train them to pass the state licensing exams for real estate & insurance agent licenses. It is an ongoing program with an established track record. Of particular interest to the MCL was a statement to the committee by the bill's sponsor that one of their recent successes was a Marine vet and his son that wanted to set up their own insurance agency.
- HB 3037 by Rep. Ponder—passed out of the House Health Care Appropriations Subcommittee on January 16th. It appropriates \$150,000 for the "Pawsitive Foundation"

that funds teens training service dogs for veterans. College bound teens and at-risk high school students needing volunteer hours will be awarded hours for participating in training service dogs for wounded vets.

- HB 3325 by Rep. Killebrew—also passed out of the House Health Care Appropriations Subcommittee on January 16th. It appropriates \$350,000 for the Florida Veterans Foundation. Among the services of the Foundation are: supplying of benefits, resources, eradication of homelessness through stand downs, emergency financial assistance, mental health, and transportation of veterans to meet medical needs.
- HB 3535 by Rep. Ahern—passed out of the Transportation & Tourism Subcommittee on January 23rd. It appropriates \$100,000 to fund the Underwater Veterans Memorial. The Memorial will provide services to local and state citizens by providing a recreational site for divers, and adaptive sports therapy programs for disabled veterans of the U. S. and Florida Department of Veterans Affairs, veterans’ scuba diving organizations, and divers with physical disabilities who participate in adaptive recreation and therapy.
- HB 3783 by Rep. Burgess—passed out of the House Health Care Appropriation Subcommittee. It appropriates \$2,000,000 to the University of South Florida for an Alternative Treatment of Veterans Program. See HB 303, below, for further details of those types of programs.

As we go to press, both the House and Senate have released their respective budgets. They are fairly close in the dollar amounts appropriated: the Senate bill appropriates \$87.3 billion and the House comes in at \$87.2 billion. Both are less than the \$87.4 billion being proposed by the Governor, which is the largest in state history. While the dollar amounts of the House and Senate versions are only about \$100 million apart, the devil will be in the details about how the funds are allocated. The next step will be for the two ends of the hall to take up and pass their respective budgets, refuse to accept each other’s version and then commence the budget conference process. Stay tuned.

Bills That Are Moving

HB 603 by Rep. Gonzales--passed out of the House Local, Federal & Veterans Affairs Subcommittee on January 10th. It creates an exemption from local business taxes for honorably discharged veterans and their spouses, unmarried surviving spouses of such veterans, spouses of certain active duty military servicemembers, as well as certain low-income persons. The bill sets forth the procedure for obtaining the exemption and allows cities that currently impose a gross receipts tax to continue the process. See the bill for details. The bill also removes the \$1 or \$2 fee a veteran must pay to have the word “veteran” displayed on an identification card or driver’s license issued by the DHSMV. It also provides for additional ID to be used to establish veteran status when applying for the above designations. Finally, the bill prohibits county tax collectors from charging a veteran the \$6.25 service fee for driver license services upon presentation of specified documentation proving an individual is a veteran. On the Senate side, SB 100 by Sen. Steube has passed all of its committees and is on the General Calendar of the

full Senate. It contains the driver license language. SB 910 by Sen. Garcia passed out of the Senate Local, Federal & Veterans Affairs Subcommittee on January 10th. It contains the business tax exemption portion of the House bill. The bills will most likely be consolidated when the bills are taken up on the floor. This is another example of the “veteran friendly” climate of Florida.

CS/HB 1073 by Rep. Hager—passed out of the House Insurance & Banking Subcommittee on January 23rd. Buried in this 60-plus insurance “clean-up” bill are three issues of important to veterans. The first amends s.497.168, providing that a member of the U. S. Armed Forces or a veteran who was honorably discharged within the 24 month period before the initial application for licensure under Chapter 497 relating to cemetery operators, shall be exempt from the initial application fee. See section 9 of the bill. It amends s. 626.202 to waive the fingerprint requirement for armed forces members and honorably discharged veterans seeking an insurance agent license, subject to the same 24-month time frame above. The applicant shall provide some listed military documentation, such as form DD 214. See section 20 of the bill for details. Finally, the bill amends s. 633.416 to allow a fire service provider to employ veterans who were honorably discharged and who received training while in the military equivalent to the requirements for hiring. The veteran must obtain a Firefighter Certificate of Compliance within 24 months after employment. These changes are aimed at easing transition of veterans from military into civilian life.

CS/SB 1292 by Sen. Stargel—passed out of the Senate Banking & Insurance Committee on January 23rd. While not identical, the 57-page Senate version contains most of the veteran-friendly bill is very similar to CS/HB 1073, reported above. As the bills move forward through the process, the provisions will most likely be made identical.

CS/HB 553 by Rep. Raburn—passed out of the House Agriculture & Natural Resources Appropriation Subcommittee on January 24th. The bill codifies several agricultural, consumer services, and licensing activities under Florida’s Department of Agriculture & Consumer Services. Buried in the 114+ page bill is a licensing provision that may be of interest. It allows military veterans to utilize military firearms instructor status when applying for professional firearms license instructor Class “K” licenses. The applicant must have a Form DD 214 or other official military documentation. The documentation must be issued within three years of licensure application and must show that the applicant was honorably discharged and served as a military firearms instructor within the last three years. Its Senate companion, CS/SB 740 by Sen. Stargel, passed out of the Senate Appropriations Subcommittee on Environment & Natural Resources on January 24th.

HB 29 by Reps. Ponder & Renner—passed out of the House Commerce Committee on January 24th. It is a 92-page bill that, like the above HB 1073, makes special allowances for military members, veterans, and their spouses applying for licenses in a variety of professions. It appears to be the omnibus bill bringing together various special rules for those who served our

country. The provisions are too numerous to list here and one should see the actual bill text for details

HB 457 by Reps. Jacobs & Moraitis—passed out of the House Transportation & Infrastructure Subcommittee on January 23rd. It authorizes the Florida Department of Transportation to install directional signs for U. S. Department of Veterans Affairs operated and maintained community-based outpatient clinic centers, benefits offices, and national cemeteries on the rights-of-ways of interstate highways and primary and secondary roads in accordance with Florida’s Highway Guide Sign Program. There is an estimated 100 such facilities in Florida. Its companion bill, SB 718 by Sen. Farmer has yet to be heard.

HB 1231 by Rep. Trumbull—passed out of the House Carriers & Competition Subcommittee on January 23rd. It provides that eligible job training organizations may receive up to a 10 percent refund on the sales tax remitted to the Department of Revenue in the prior state fiscal year on sales of goods donated to the business. It provides that the refunds must be used towards, among other things, job training and employment services for veterans. The refunds are granted on a first-come, first-served basis and limits the total refund to no more than \$2 million per state fiscal year. See the bill for details. Its companion, SB 1450 by Sen. Steube, passed out of the Senate Commerce & Tourism Committee on January 29th.

HB 303 by Reps Burges & White, plus 16 others—passed out of the House Health Innovation Subcommittee on January 23rd. It creates the Alternative Treatment Options for Veterans Pilot Program. It requires the Florida department of Veterans Affairs to contract with one or more individuals, non-profit corporations, state universities, or the Florida College system Institutions for a period of two years to provide alternative treatment options for veterans who have been certified by the VA, or any branch of the U. S. Armed Forces, as having a traumatic brain injury (TBI) or post-traumatic stress disorder (PTSD). The contracted entity or entities may select the alternative treatment to be offered to the veteran. None are specified in the bill itself, but they are limited to those which have at least one scientific or medical peer-reviewed study that shows the treatment to have a positive effect on the TBI or PTSD. Additionally, the bill requires the treatment to be provided under the direction or supervision of a licensed physician, osteopathic physician, chiropractic physician, nurse, psychologist, or a clinical social worker, marriage and family therapist, or mental health counselor. It provides for reports to the Governor and Legislature. Its Senate companion bill, SB 82 by Senator Steube, has yet to be heard, but does mention a number of programs that may be eligible. They include: (a) Accelerated resolution therapy, (b) Acupuncture, (c) Equine therapy, (d) Hyperbaric oxygen therapy, (e) Mediation therapy, (f) Music therapy, (g) Outdoor & indoor sports therapy, (h) Service animal training therapy, and (i) Yoga therapy. Two million dollars in potential funding for the program appears to be contained in HB 3783, reported above.

Bills of Interest Yet To Be Heard

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

Other Issues

A caucus is a group of like-minded persons or interests that band together for a common agenda or issue. The Legislature has a number of such entities: the Black Caucus, the Hispanic Caucus and the Democratic Caucus, just to name a few. On January 17th, the Veterans Caucus, an old caucus that has been inactive for a number of years, was “reformed” to “...help build support for legislation aimed at assisting active military members, veterans, and their families.” It is bi-partisan, with Democrat Rep. Matt Willhite elected as caucus chair, and Republican Rep. Danny Burges elected as vice chair.