

## **DOMESTIC SECURITY**

### **HB 7017 — Public Records/Building Plans Held by an Agency**

by Governmental Affairs Policy Committee and Rep. Plakon (SB 754 by Military Affairs and Domestic Security Committee)

The bill reenacts an existing public records exemption for building plans, blueprints, schematic drawings, and diagrams which depict the internal layout or structural elements of an attractions and recreation facility, entertainment or resort complex, industrial complex, retail and service development, office development, or hotel or motel development. The exemption applies to draft, preliminary, and final formats of such plans. The bill responds to a legislative finding that such facilities should be protected from potential acts of terrorism.

This bill reenacts and amends s. 119.071(3)(c), F.S.

If approved by the Governor, these provisions take effect October 1, 2009.

*Vote: Senate 40-0; House 114-0*

### **CS/HB 7141 — Seaport Security**

by Full Appropriations Council on General Government and Health Care; Criminal and Civil Justice Policy Council; and Rep. Adams (CS/CS/CS/SB 2684 by Criminal and Civil Justice Appropriations Committee; Criminal Justice Committee; Military Affairs and Domestic Security Committee; and Senator Lynn)

This bill makes a number of revisions to existing Florida law relating to seaport security substantially reducing the cost of credentialing for port workers while improving overall seaport security efficiency. These revisions include:

- Aligning state definitions of secure and restricted access areas within a seaport with federal definitions;
- Allowing all or part of a seaport listed in s. 311.09, F.S. to be exempted from the seaport security standards provided in law if a determination is made that activity associated with such facilities is not vulnerable to criminal activity or acts of terrorism;
- Establishing the federal Transportation Worker Identification Credential (TWIC) as the only credential authorized for use by the seaports listed in s. 311.09, F.S., when granting access to secure and restricted access areas;
- Maintaining a requirement for a criminal history background check of crimes committed in Florida when determining access eligibility for secure and restricted access areas;
- Aligning state criminal offenses that disqualify a person for unescorted access to secure and restricted access areas with federal disqualifying offenses under the TWIC program;

- Creating an affidavit process for determining access eligibility for TWIC holders that reduces and consolidates state fees for port workers;
- Establishing an Access Eligibility Reporting System that provides a centralized secure database for use by seaports when granting or denying persons access to secure and restricted access areas. The Department of Law Enforcement is authorized to create a pilot project in order to design, test, and implement the system;
- Adding a representative of seaport workers and a representative of seaport tenants to the membership of the Seaport Security Standards Advisory Council; and
- Directing the Office of Drug Control to commission an update of the Florida Seaport Security Assessment of 2000. A report of this updated assessment must be presented to the President of the Senate and the Speaker of the House of Representatives by January 1, 2010.

This bill substantially amends s. 311.12, F.S.; amends ss. 311.121, 311.123, 311.124, 311.13, 943.0585, and 943.059, F.S., creates s. 311.115, F.S.; and repeals ss. 311.111 and 311.125, F.S.

If approved by the Governor, these provisions take effect July 1, 2009.

*Vote: Senate 36-2; House 112-0*

## **MILITARY AFFAIRS**

### **CS/HB 635 — Military Affairs**

by Military Affairs and Local Affairs Policy Committee and Rep. Scionti and others  
(CS/CS/SB 206 by Judiciary Committee; Military Affairs and Domestic Security Committee;  
and Senators Justice, Deutch, and Baker)

The bill updates references to the Uniform Code of Military Justice and the Manual for Courts-Martial, to reflect the latest editions.

The bill implements additional employment protections for servicemembers who are ordered into “state active duty,” similar to protections available under the Servicemembers Civil Relief Act and the Uniformed Services Employment and Reemployment Rights Act.

The bill specifies that members of the National Guard returning to work after serving on state active duty are entitled to seniority accrued prior to or during deployment and any additional rights and benefits that would have accrued to the servicemember.

A servicemember must provide the employer prompt notice of his or her intent to return to work. Certain limited exceptions are allowed to the requirement that employers must allow servicemembers returning from state active duty to return to work. These exceptions include:

- A change of circumstances has occurred that makes employment of the servicemember impossible or unreasonable;

- The employment would create an undue hardship on the employer;
- The servicemember's previous employment was only for a brief, nonrecurrent period; or
- The employer had legally sufficient cause to terminate the servicemember at the time he or she left for state active duty.

Employers are precluded from discharging reemployed servicemembers upon their return to work for a period of 1 year, unless the discharge is for cause. Employers may not require servicemembers to use annual, vacation, compensatory, or similar leave for periods of deployment.

The bill eliminates a requirement that a National Guard member must have been employed for 1 year before deployment into state active duty to be eligible to bring suit against an employer for violating statutory protections.

The bill creates a civil penalty of up to \$1,000 per violation as a result of a failure to comply with the provisions of ch. 250, F.S., affording protections to servicemembers, as well as for violations of federal laws protecting rights of servicemembers.

This bill amends ss. 250.35, 250.482, and 250.82, F.S. and creates s. 250.905, F.S.

If approved by the Governor, these provisions take effect July 1, 2009.

*Vote: Senate 38-0; House 114-0*

### **CS/CS/HB 685 — Educational Dollars for Duty Program**

by Economic Development and Community Affairs Policy Council; Military and Local Affairs Policy Committee; and Rep. Proctor and others (SB 442 by Senators Fasano, Wise, and Gaetz)

The bill reorganizes and consolidates state educational assistance for Florida National Guard members into one program to be known as the Educational Dollars for Duty Program (EDD). The bill expands education assistance eligibility for current members of the Guard and gives the Adjutant General the sole responsibility for developing and administering the program. The bill authorizes the Adjutant General to adopt rules for program administration.

EDD provides assistance for Guard members who enroll in an authorized course of study at Florida public and nonpublic institutions of higher learning accredited by the Commission on Colleges of the Southern Association of Colleges and Schools. The bill classifies all active drilling members of the Florida National Guard as residents for tuition purposes at Florida public postsecondary institutions.

Guard members who have obtained a master's degree under this program are ineligible for further assistance under the provisions of this bill. Enrollment in college-preparatory courses is authorized.

Funding the Educational Dollars for Duty Program is subject to appropriation by the Legislature.

This bill amends ss. 250.10, 1009.21 and 1009.26, F.S.

If approved by the Governor, these provisions take effect July 1, 2009.

*Vote: Senate 38-0; House 113-0*

### **HB 7123 — Military Base Closures**

by Economic Development and Community Affairs Policy Council and Rep. Murzin and others (CS/CS/SB 2322 by Commerce Committee; Military Affairs and Domestic Security Committee; and Senators Gaetz, Peaden, Altman, Haridopolos, and Justice)

The bill establishes the 9-member Florida Council on Military Base and Mission Support. The council is created to provide oversight and direction for initiatives, claims, and actions taken on behalf of the state relating to federal Base Realignment and Closure Commission (BRAC) activities.

The President of the Senate, Speaker of the House of Representatives, and Governor each appoint three members to the council to include members of the Legislature and other persons who are knowledgeable of military base issues and defense industry related economic development in Florida.

The council is required to submit a report each January 1 to the Governor and the Legislature on its activities and any recommendations that it may have.

The bill creates s. 288.984, F.S.

If approved by the Governor, these provisions take effect July 1, 2009.

*Vote: Senate 39-0; House 117-0*

### **HB 7125 — Public Records/Public Meetings/Military Bases**

by Economic Development and Community Affairs Policy Council; and Rep. Murzin (CS/SB 2324 by Military Affairs and Domestic Security Committee; and Senator Gaetz)

The bill creates a public records and meetings exemption for certain activities of the Florida Council on Military Base and Mission Support.

Council activities covered under the bill include the records and discussions of the strengths and weaknesses of the state's military bases and strategies that are formulated to protect those bases during a base realignment and closure process. The exemption is subject to legislative review and repeal under the provisions of s. 119.15, F.S., the Open Government Sunset Review Act.

The bill makes willful and knowing disclosure of exempt information covered under this act a first degree misdemeanor punishable as provided in ss. 775.082 or 775.083, F.S.

The bill creates s. 288.985, F.S.

If approved by the Governor, these provisions take effect July 1, 2009.

*Vote: Senate 40-0; House 106-13*

## **VETERANS' AFFAIRS**

### **HB 509 — Disabled Veterans Building Permit Fee Exemption**

by Rep. Zapata and others (SB 644 by Senators Fasano and Baker)

The bill allows all honorably discharged 100-percent service connected disabled veterans an exemption from county or municipality license or permit fees for improvements on homestead property that would make the residence safe for the veteran.

The bill removes the cap, currently set in law at \$200,000, on revenues deposited in the State Homes for Veterans Trust Fund from the sale of special license plates. The change will result in approximately \$250,000 in additional annual funding to the State Homes for Veterans Trust Fund.

The bill authorizes deferment of tuition and fees for veterans and other students receiving benefits from the Post 9/11 GI Bill if the benefits are delayed in transmission under circumstances beyond the students' control.

This bill substantially amends ss. 295.16, 320.089, and 1009.27, F.S.

If approved by the Governor, these provisions take effect July 1, 2009.

*Vote: Senate 40-0; House 113-0*