

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: SB 1096
SPONSOR: Senator Fasano
SUBJECT: Korean War Veterans/HS Diploma
DATE: January 20, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Dormady</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable</u>
2.	_____	_____	<u>MS</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

SB 1096 amends certain prerequisites for receiving a high school diploma to permit award of a standard high school diploma to honorably discharged veterans of the Korean conflict who did not complete necessary graduation requirements.

This bill amends section 1003.43 of the Florida Statutes.

The bill will be effective on July 1, 2004.

II. Present Situation:

Section 1003.43, F.S., sets forth general requirements for receiving a standard high school diploma. Subsection (13) of this section contains a special provision permitting the award of a standard high school diploma to certain veterans who served in the Korean conflict and, due to this service, were unable to complete all necessary diploma requirements.

The section permits the Commissioner of Education to award a standard high school diploma to honorably discharged veterans who:

- started high school between 1946 and 1950 and were scheduled to graduate between 1950 and 1954;
- were inducted into the U.S. Armed Forces between June 1950 and January 1954; and
- served during the Korean War prior to completing the necessary high school graduation requirements.

In the absence of this provision of law, a veteran who had been inducted and served in the Korean conflict prior to completing all high school graduation requirements would not receive a standard high school diploma unless he had returned to school after his military service and completed all requirements.

The Korean conflict began on June 25, 1950 and officially ended with the signing of an armistice July 27, 1953. The United States continued, however, to staff the demilitarized zone between North Korea and South Korea thereafter, and the U.S. Selective Service System was in place throughout the 1950s. Under the Selective Service System, 253,230 men were inducted into U.S. military service in 1954 and 152,777 men were inducted in 1955.¹

S. 1.01(14)(e), F.S., which establishes certain definitions for general use throughout the Florida Statutes, lists the dates of the “Korean Conflict” within the definition of the word “veteran.” Under s. 1.01(14), to receive benefits as a wartime veteran, a soldier must have served during a period of “wartime service,” which for the Korean conflict is defined as between June 27, 1950 and January 31, 1955. The Florida Statutes contain only one other reference to the Korean conflict, and that section cites s. 1.01(14)(e), F.S. (as described in this paragraph above) for the definition of the term.²

The dates for the Korean conflict set forth in Florida law are consistent with the dates used by the Federal government for purposes of determining veterans’ benefits. Title 38 of the U.S. Code, covering veterans’ benefits, states that, “[t]he term “Korean conflict” means the period beginning on June 27, 1950, and ending on January 31, 1955.”³

III. Effect of Proposed Changes:

SB 1096 amends s. 1003.43, F.S., to provide coverage under the statute for Korean conflict veterans who were inducted into the military through January, 1955. Under current law, as noted above, to qualify for a standard high school diploma under this section, a veteran must have been scheduled to graduate between 1950 and 1954 and must have been inducted between June 1950 and January 1954. The bill would change these dates to provide that, in order to qualify under the section, a veteran must have been scheduled to graduate between 1950 and 1955 and must have been inducted between June 1950 and January 1955. This change would conform the required dates of service stipulated in this section with the dates of service listed for the Korean conflict elsewhere in Florida law and in federal law regarding veterans’ benefits.

The change would provide new coverage under this law for veterans who were scheduled to graduate in 1955 and who were inducted into the armed forces between February 1954 and January 1955. Currently, Korean conflict veterans meeting this description, even if they meet all other requirements of the section, are not eligible to receive a standard high school diploma pursuant to the section.

¹ Selective Service System induction statistics, available at <http://www.sss.gov/induct.htm>.

² See s. 295.015, F.S., concerning children of prisoners of war and persons missing in action.

³ 38 U.S.C. 101(9).

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:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.