

Bill No. CS for CS for SB 1604

Amendment No. \_\_\_\_ Barcode 364198

CHAMBER ACTION

Senate

House

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11 Senator Fasano moved the following amendment:

13 **Senate Amendment (with title amendment)**

14 On page 11, between lines 20 and 21,

16 insert:

17 Section 7. Subsection (1) of section 295.01, Florida  
18 Statutes, is amended to read:

19 295.01 Children of deceased or disabled veterans;  
20 education.--

21 (1) It is hereby declared to be the policy of the  
22 state to provide educational opportunity at state expense for  
23 dependent children either of whose parents was a resident of  
24 the state at the time such parent entered the Armed Forces  
25 and:

26 (a) Died as a result of service-connected injuries,  
27 disease, or disability sustained while on active duty; in that  
28 service or from injuries sustained or disease contracted  
29 during a period of wartime service as defined in s. 1.01(14)  
30 or has died since or may hereafter die from diseases or  
31 disability resulting from such war service, or

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1 (b) Has been:

2 1. Determined by the United States Department of  
3 Veterans Affairs or its predecessor to have a  
4 service-connected 100-percent total and permanent disability  
5 rating for compensation;~~7~~

6 2. Determined to have a service-connected total and  
7 permanent disability rating of 100 percent and is in receipt  
8 of disability retirement pay from any branch of the United  
9 States Armed Services;~~7~~ or

10 3. Issued a valid identification card by the  
11 Department of Veterans' Affairs in accordance with s. 295.17,  
12  
13 when the parents of such children have been bona fide  
14 residents of the state for 5 years next preceding their  
15 application for the benefits hereof, and subject to the rules,  
16 restrictions, and limitations hereof.

17 Section 8. Paragraph (a) of subsection (1) of section  
18 443.101, Florida Statutes, is amended to read:

19 443.101 Disqualification for benefits.--An individual  
20 shall be disqualified for benefits:

21 (1)(a) For the week in which he or she has voluntarily  
22 left his or her work without good cause attributable to his or  
23 her employing unit or in which the individual has been  
24 discharged by his or her employing unit for misconduct  
25 connected with his or her work, based on a finding by the  
26 Agency for Workforce Innovation. As used in this paragraph,  
27 the term "work" means any work, whether full-time, part-time,  
28 or temporary.

29 1. Disqualification for voluntarily quitting continues  
30 for the full period of unemployment next ensuing after he or  
31 she has left his or her full-time, part-time, or temporary

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1 work voluntarily without good cause and until the individual  
2 has earned income equal to or in excess of 17 times his or her  
3 weekly benefit amount. As used in this subsection, the term  
4 "good cause" includes only that cause attributable to the  
5 employing unit or which consists of illness or disability of  
6 the individual requiring separation from his or her work. Any  
7 other disqualification may not be imposed. An individual is  
8 not disqualified under this subsection for voluntarily leaving  
9 temporary work to return immediately when called to work by  
10 the permanent employing unit that temporarily terminated his  
11 or her work within the previous 6 calendar months. For benefit  
12 years beginning on or after July 1, 2004, an individual is not  
13 disqualified under this subsection for voluntarily leaving  
14 work to relocate as a result of his or her military-connected  
15 spouse's permanent change of station orders, activation  
16 orders, or unit deployment orders.

17           2. Disqualification for being discharged for  
18 misconduct connected with his or her work continues for the  
19 full period of unemployment next ensuing after having been  
20 discharged and until the individual has become reemployed and  
21 has earned income of at least 17 times his or her weekly  
22 benefit amount and for not more than 52 weeks that immediately  
23 follow that week, as determined by the Agency for Workforce  
24 Innovation in each case according to the circumstances in each  
25 case or the seriousness of the misconduct, under the agency's  
26 rules adopted for determinations of disqualification for  
27 benefits for misconduct.

28           Section 9. Subsection (1) of section 445.007, Florida  
29 Statutes, is amended to read:

30           445.007 Regional workforce boards; exemption from  
31 public meetings law.--

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1           (1) One regional workforce board shall be appointed in  
2 each designated service delivery area and shall serve as the  
3 local workforce investment board pursuant to Pub. L. No.  
4 105-220. The membership of the board shall be consistent with  
5 Pub. L. No. 105-220, Title I, s. 117(b), and contain one  
6 representative from a nonpublic postsecondary educational  
7 institution that is an authorized individual training account  
8 provider within the region and confers certificates and  
9 diplomas, one representative from a nonpublic postsecondary  
10 educational institution that is an authorized individual  
11 training account provider within the region and confers  
12 degrees, and three representatives of organized labor. The  
13 board shall include one representative from a military  
14 installation if a military installation is located within the  
15 region. Individuals serving as members of regional workforce  
16 development boards or local WAGES coalitions, as of June 30,  
17 2000, are eligible for appointment to regional workforce  
18 boards, pursuant to this section. It is the intent of the  
19 Legislature that, whenever possible and to the greatest extent  
20 practicable, membership of a regional workforce board include  
21 persons who are current or former recipients of welfare  
22 transition assistance as defined in s. 445.002(3) or workforce  
23 services as provided in s. 445.009(1), or that such persons be  
24 included as ex officio members of the board or of committees  
25 organized by the board. The importance of minority and gender  
26 representation shall be considered when making appointments to  
27 the board. If the regional workforce board enters into a  
28 contract with an organization or individual represented on the  
29 board of directors, the contract must be approved by a  
30 two-thirds vote of the entire board, and the board member who  
31 could benefit financially from the transaction must abstain

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1 from voting on the contract. A board member must disclose any  
2 such conflict in a manner that is consistent with the  
3 procedures outlined in s. 112.3143.

4 Section 10. Subsection (1) of section 464.009, Florida  
5 Statutes, is amended, present subsections (3), (4), and (5) of  
6 that section are redesignated as subsections (4), (5), and  
7 (6), respectively, and a new subsection (3) is added to that  
8 section, to read:

9 464.009 Licensure by endorsement.--

10 (1) The department shall issue the appropriate license  
11 by endorsement to practice professional or practical nursing  
12 to an applicant who, upon applying to the department and  
13 remitting a fee set by the board not to exceed \$100,  
14 demonstrates to the board that he or she:

15 (a) Holds a valid license to practice professional or  
16 practical nursing in another state or territory of the United  
17 States, provided that, when the applicant secured his or her  
18 original license, the requirements for licensure were  
19 substantially equivalent to or more stringent than those  
20 existing in Florida at that time;

21 (b) Meets the qualifications for licensure in s.  
22 464.008 and has successfully completed a state, regional, or  
23 national examination which is substantially equivalent to or  
24 more stringent than the examination given by the department;  
25 or

26 (c) Has actively practiced nursing in another state,  
27 jurisdiction, or territory of the United States for 2 of the  
28 preceding 3 years without having his or her license acted  
29 against by the licensing authority of any jurisdiction.  
30 Applicants who become licensed pursuant to this paragraph must  
31 complete within 6 months after licensure a Florida laws and

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1 | rules course that is approved by the board. Once the  
2 | department has received the results of the national criminal  
3 | history check and has determined that the applicant has no  
4 | criminal history, the appropriate license by endorsement shall  
5 | be issued to the applicant. ~~This paragraph is repealed July 1,~~  
6 | ~~2004, unless reenacted by the Legislature.~~

7 |       (3) An applicant for licensure by endorsement who is  
8 | relocating to this state pursuant to his or her  
9 | military-connected spouse's official military orders and who  
10 | is licensed in another state that is a member of the Nurse  
11 | Licensure Compact shall be deemed to have satisfied the  
12 | requirements of subsection (1) and shall be issued a license  
13 | by endorsement upon submission of the appropriate application  
14 | and fees and completion of the criminal background check  
15 | required under subsection (4).

16 |       Section 11. Subsection (8) of section 464.022, Florida  
17 | Statutes, is amended to read:

18 |       464.022 Exceptions.--No provision of this part shall  
19 | be construed to prohibit:

20 |       (8) Any nurse currently licensed in another state or  
21 | territory of the United States from performing nursing  
22 | services in this state for a period of 60 days after  
23 | furnishing to the employer satisfactory evidence of current  
24 | licensure in another state or territory and having submitted  
25 | proper application and fees to the board for licensure prior  
26 | to employment. If the nurse licensed in another state or  
27 | territory is relocating to this state pursuant to his or her  
28 | military-connected spouse's official military orders, this  
29 | period shall be 120 days after furnishing to the employer  
30 | satisfactory evidence of current licensure in another state or  
31 | territory and having submitted proper application and fees to

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1 the board for licensure prior to employment. The board may  
2 extend this time for administrative purposes when necessary.

3 Section 12. Subsections (2) and (8) of section  
4 1002.39, Florida Statutes, are amended to read:

5 1002.39 The John M. McKay Scholarships for Students  
6 with Disabilities Program.--There is established a program  
7 that is separate and distinct from the Opportunity Scholarship  
8 Program and is named the John M. McKay Scholarships for  
9 Students with Disabilities Program, pursuant to this section.

10 (2) SCHOLARSHIP ELIGIBILITY.--The parent of a public  
11 school student with a disability who is dissatisfied with the  
12 student's progress may request and receive from the state a  
13 John M. McKay Scholarship for the child to enroll in and  
14 attend a private school in accordance with this section if:

15 (a) By assigned school attendance area or by special  
16 assignment, the student has spent the prior school year in  
17 attendance at a Florida public school. Prior school year in  
18 attendance means that the student was enrolled and reported by  
19 a school district for funding during the preceding October and  
20 February Florida Education Finance Program surveys in  
21 kindergarten through grade 12. However, this paragraph does  
22 not apply to a dependent child of a member of the United  
23 States Armed Forces who transfers to a school in this state  
24 from out of state or from a foreign country pursuant to a  
25 parent's permanent change of station orders. A dependent child  
26 of a member of the United States Armed Forces who transfers to  
27 a school in this state from out of state or from a foreign  
28 country pursuant to a parent's permanent change of station  
29 orders must meet all other eligibility requirements to  
30 participate in the program.

31 (b) The parent has obtained acceptance for admission

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1 of the student to a private school that is eligible for the  
2 program under subsection (4) and has notified the school  
3 district of the request for a scholarship at least 60 days  
4 prior to the date of the first scholarship payment. The  
5 parental notification must be through a communication directly  
6 to the district or through the Department of Education to the  
7 district in a manner that creates a written or electronic  
8 record of the notification and the date of receipt of the  
9 notification.

10

11 This section does not apply to a student who is enrolled in a  
12 school operating for the purpose of providing educational  
13 services to youth in Department of Juvenile Justice commitment  
14 programs. For purposes of continuity of educational choice,  
15 the scholarship shall remain in force until the student  
16 returns to a public school or graduates from high school.  
17 However, at any time, the student's parent may remove the  
18 student from the private school and place the student in  
19 another private school that is eligible for the program under  
20 subsection (4) or in a public school as provided in subsection  
21 (3).

22 (8) RULES.--The State Board of Education shall may  
23 adopt rules pursuant to ss. 120.536(1) and 120.54 to  
24 administer this section, including rules that school districts  
25 must use to expedite the development of a matrix of services  
26 based on a current individual education plan from another  
27 state or a foreign country for a transferring student with a  
28 disability who is a dependent child of a member of the United  
29 States Armed Forces. The rules must identify the appropriate  
30 school district personnel who must complete the matrix of  
31 services. For purposes of these rules, a transferring



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1 student with a disability is one who was previously enrolled  
2 as a student with a disability in an out-of-state or an  
3 out-of-country public or private school or agency program and  
4 who is transferring from out of state or from a foreign  
5 country pursuant to a parent's permanent change of station  
6 orders. However, the inclusion of eligible private schools  
7 within options available to Florida public school students  
8 does not expand the regulatory authority of the state, its  
9 officers, or any school district to impose any additional  
10 regulation of private schools beyond those reasonably  
11 necessary to enforce requirements expressly set forth in this  
12 section.

13 Section 13. Subsection (2) of section 1003.05, Florida  
14 Statutes, is amended, and subsection (3) is added to that  
15 section to read:

16 1003.05 Assistance to transitioning students from  
17 military families.--

18 (2) The Department of Education shall facilitate the  
19 development and implementation of memoranda of agreement  
20 between school districts and military installations which  
21 address strategies for assisting students who are the children  
22 of active-duty military personnel in the transition to Florida  
23 schools. identify its efforts and strategies for assisting  
24 military-connected students in transitioning to the Florida  
25 school system, including the identification of acceptable  
26 equivalence for curriculum and graduation requirements, and  
27 report its findings to the Governor, the President of the  
28 Senate, and the Speaker of the House of Representatives by  
29 October 1, 2003.

30 (3) Dependent children of active-duty military  
31 personnel who otherwise meet the eligibility criteria for

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1 special academic programs offered through public schools shall  
2 be given first preference for admission to such programs even  
3 if the program is being offered through a public school other  
4 than the school to which the student would generally be  
5 assigned and the school at which the program is being offered  
6 has reached its maximum enrollment. If such a program is  
7 offered through a public school other than the school to which  
8 the student would generally be assigned, the parent or  
9 guardian of the student must assume responsibility for  
10 transporting the student to that school. For purposes of this  
11 subsection special academic programs include charter schools,  
12 magnet schools, advanced studies programs, advanced placement,  
13 dual enrollment, and International Baccalaureate.

14 Section 14. Section 1008.221, Florida Statutes, is  
15 created to read:

16 1008.221 Dependent children of military personnel  
17 transferring to Florida schools; equivalencies for  
18 standardized tests.--A dependent child of a member of the  
19 United States Armed Forces who enters a public school at the  
20 12th grade from out of state or from a foreign country and  
21 provides satisfactory proof of attaining a score on an  
22 approved alternative assessment that is concordant to a  
23 passing score on the grade 10 FCAT shall satisfy the  
24 assessment requirement for a standard high school diploma as  
25 provided in s. 1003.43(5)(a). For purposes of this section,  
26 approved alternative assessments are the SAT and ACT.

27 Section 15. Paragraph (b) of subsection (10) of  
28 section 1009.21, Florida Statutes, is amended, and paragraph  
29 (k) is added to that subsection, to read:

30 1009.21 Determination of resident status for tuition  
31 purposes.--Students shall be classified as residents or

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1 nonresidents for the purpose of assessing tuition in community  
2 colleges and state universities.

3 (10) The following persons shall be classified as  
4 residents for tuition purposes:

5 (b) Active duty members of the Armed Services of the  
6 United States and their spouses and dependents attending a  
7 public community college or state university within 50 miles  
8 of the military establishment where they are stationed, if  
9 such military establishment is within a county contiguous to  
10 Florida.

11 (k) Active duty members of a foreign nation's military  
12 who are serving as liaison officers and are residing or  
13 stationed in this state, and their spouses and dependent  
14 children, attending a community college or state university  
15 within 50 miles of the military establishment where the  
16 foreign liaison officer is stationed.

17 Section 16. (1) The Legislature finds that military  
18 families are faced with a variety of challenges, including  
19 frequent relocations, recurring deployments, lengthy periods  
20 of separation, and heightened anxiety and uncertainty during  
21 periods of conflict. A military spouse's ability to gain job  
22 skills and maintain a career contributes to the financial  
23 well-being of the family, spouse satisfaction with military  
24 life, and military retention and readiness. Military spouses  
25 are often required to terminate their employment in order to  
26 support their spouse's highly mobile military commitment. The  
27 unemployment rate for military spouses is approximately four  
28 times the civilian unemployment rate, and military spouse  
29 earnings are significantly lower than those of their  
30 comparably educated civilian peers. Recognizing the  
31 employment challenges faced by military spouses and the

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1 importance of military families to our communities and  
2 economy, the Legislature declares its intent to establish an  
3 employment advocacy and assistance program to serve Florida's  
4 military families.

5       (2) Workforce Florida, Inc., shall establish an  
6 employment advocacy and assistance program targeting military  
7 spouses and dependents. This program shall deliver employment  
8 assistance services through military family employment  
9 advocates colocated within selected one-stop career centers.  
10 Persons eligible for assistance through this program shall  
11 include spouses and dependents of active-duty military  
12 personnel, Florida National Guard members, and military  
13 reservists.

14       (3) Military family employment advocates are  
15 responsible for providing the following services and  
16 activities:

17       (a) Coordination of employment assistance services  
18 through military base family support centers, Florida's  
19 one-stop career centers, and veteran-support organizations.

20       (b) Training to one-stop career center managers and  
21 staff on the unique employment needs and skills of military  
22 family members.

23       (c) Promoting and marketing the benefits of employing  
24 military family members to prospective employers.

25       (d) Assisting employment-seeking military family  
26 members through job counseling, job search and placement  
27 services, the dissemination of information on educational and  
28 training programs, and the availability of support services.

29       (e) Other employment assistance services Workforce  
30 Florida, Inc., deems necessary.

31       (4) Workforce Florida, Inc., may enter into agreements

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1 with public and private entities to provide services  
2 authorized under this section.

3           Section 17. The Florida Housing Finance Corporation  
4 shall undertake an assessment of the needs of active duty  
5 military personnel and their families living in Florida for  
6 affordable housing. The needs assessment shall provide  
7 information on the population characteristics of the service  
8 personnel and their families having total gross incomes of up  
9 to 80 percent of the local area's median income who are living  
10 off base, including, but not limited to, the number of  
11 households by family size, income, and current tenancy; the  
12 condition of existing housing; and the availability of  
13 homeowner and rental housing that is affordable to these  
14 service personnel and their families. The corporation shall  
15 report its findings and recommendations to the Governor, the  
16 President of the Senate, the Speaker of the House of  
17 Representatives, the Senate Minority Leader, and the House  
18 Minority Leader by December 31, 2004.

19  
20 (Redesignate subsequent sections.)

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22  
23 ===== T I T L E   A M E N D M E N T =====

24 And the title is amended as follows:

25           On page 2, line 12, after the semicolon  
26  
27 insert:  
28           amending s. 295.01, F.S.; revising certain  
29           requirements relating to scholarships for  
30           children of deceased veterans; amending s.  
31           443.101, F.S.; providing eligibility for

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1           unemployment compensation benefits for the  
2           spouses of a member of the military under  
3           certain circumstances beginning on a date  
4           certain; amending s. 445.007, F.S.; providing  
5           for the appointment of a military  
6           representative to certain regional workforce  
7           boards; amending s. 464.009, F.S.; removing a  
8           scheduled repeal of provisions; providing for  
9           licensure by endorsement of certain nurses  
10          licensed in another state that is a member of  
11          the Nurse Licensure Compact; amending s.  
12          464.022, F.S.; providing that certain nurses  
13          relocating to this state may perform nursing  
14          services for a period of 120 days after  
15          submitting application for licensure; amending  
16          s. 1002.39, F.S.; revising eligibility  
17          requirements for military dependents applying  
18          for a John M. McKay Scholarship; requiring the  
19          State Board of Education to adopt rules;  
20          amending s. 1003.05, F.S.; directing the  
21          Department of Education to assist in the  
22          development of memoranda of agreement between  
23          school districts and military installations;  
24          providing that qualifying military dependents  
25          receive priority admission to certain special  
26          academic programs; creating s. 1008.221, F.S.;  
27          providing for alternate assessments for the  
28          grade 10 FCAT for certain military dependents;  
29          amending s. 1009.21, F.S.; classifying  
30          dependents of active duty members of the armed  
31          forces and certain liaison officers and their

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1 spouses and dependent children as residents for  
2 tuition purposes; directing Workforce Florida,  
3 Inc., to establish an employment advocacy and  
4 assistance program targeting military spouses  
5 and dependents; directing the Florida Housing  
6 Finance Corporation to assess the housing needs  
7 of Florida's military families; requiring a  
8 report;

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