

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|--|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a “no” above, please explain:

This bill adds an additional duty to the Office of Governor, in consultation with the Adjutant General and other appropriate entities, to adopt rules deemed necessary for the proper presentation and distribution of the Governor’s Medal of Merit.

B. EFFECT OF PROPOSED CHANGES:

The bill creates a new section of law to allow the Governor to present a “Governor’s Medal of Merit” to a state resident who has rendered exceptional meritorious service to the citizens of the state. The Governor may also present the medal to a state resident who is serving, or has been honorably discharged from service, in the United States Armed Forces, the Florida National Guard, or the United States Reserve Forces and who, while on active duty, has rendered exceptional meritorious service.

The bill defines “exceptional meritorious service” as an act or acts of bravery above and beyond the level of duty normally required by that person’s respective military or civilian position.

The bill provides that in the event of the death of an individual who has been chosen to receive the Governor’s Medal of Merit, the medal will be presented to a designed representative of the chosen recipient.

The bill authorizes the Governor, in consultation with the Adjutant General and other appropriate entities, to adopt rules deemed necessary for the proper presentation and distribution of the Governor’s Medal of Merit.

The bill provides that the Adjutant General will issue decorations and awards pursuant to military regulations and instructions.

Present Situation:

Section 112.194, F.S., permits a Medal of Valor to be awarded to a law enforcement officer or correctional officer defined in s. 943.10(14), F.S.¹ by any of the following entities that appoint such officers: (a) state boards, commissions, departments, divisions, bureaus, and agencies; (b) counties; or (c) municipalities. The medal may be awarded when the officer’s actions have been extraordinary and have exposed the officer to peril beyond the call of duty.²

This award may cost up to \$250 and may include, but is not limited to, a medal authorized to be worn on the officer’s uniform during formal occasions and a commendation bar to be worn on the uniform

¹ Section 943.10(14), F.S., defines “officer” as “any person employed or appointed as a full-time, part-time, or auxiliary law enforcement officer, correctional officer, or correctional probation officer.”

² Section 112.194(1), F.S.

during normal duty.³ If the officer has died, the employer may present the medal posthumously to the officer's closest living relative.⁴

Chapter 2003-51, Laws of Florida, created an act relating to the Medal of Heroism. This law allows the Governor to award a Medal of Heroism to law enforcement officers, corrections officers, correctional probation officers, firefighters, emergency medical technicians, or paramedics, who have "distinguished themselves conspicuously by gallantry and intrepidity and who risk their lives deliberately, above and beyond the call of duty," while performing their duty and "engaging in hazardous or perilous activities to preserve lives, with the knowledge that such activities might result in great personal harm" to themselves.

A written application to the Governor is required. The Governor may refer applications to any governmental or private entity for advice and recommendations regarding an application.

C. SECTION DIRECTORY:

Section 1 provides for an award of the Governor's Medal of Merit.

Section 2 adds paragraph (n) to subsection (2) of section 250.10, Florida Statutes, relating to the appointment and duties of the Adjutant General, providing that the AG may issue decorations and awards pursuant to military regulations and instructions.

Section 3 provides an effective date of upon becoming law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: None.
2. Expenditures: The cost of medals and ceremonies should be insignificant. Therefore, the bill is not expected to have an appropriations impact.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None.
2. Expenditures: None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR: None.

D. FISCAL COMMENTS: None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

³ Section 112.194(2), F.S.

⁴ Section 112.194(3), F.S.

1. Applicability of Municipality/County Mandates Provision: Not Applicable.

2. Other: None.

B. RULE-MAKING AUTHORITY:

This bill allows the Governor, in consultation with the AG and other appropriate entities, to adopt rules deemed necessary for the proper presentation and distribution of the Governor's Medal of Merit.

C. DRAFTING ISSUES OR OTHER COMMENTS: None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

Not Applicable.