

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1069 CS Department of Military Affairs
SPONSOR(S): Negron and others
TIED BILLS: **IDEN./SIM. BILLS:** CS/SB 1592

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Military & Veteran Affairs Committee</u>	<u>8 Y, 0 N, w/CS</u>	<u>Marino</u>	<u>Carter</u>
2) <u>Insurance Committee</u>	<u>14 Y, 0 N</u>	<u>Sayler</u>	<u>Cooper</u>
3) <u>Transportation & Economic Development Appropriations Committee</u>	<u>17 Y, 0 N, w/CS</u>	<u>McAuliffe</u>	<u>Gordon</u>
4) <u>State Administration Council</u>	<u>8 Y, 0 N, w/CS</u>	<u>Marino</u>	<u>Bussey</u>
5) _____	_____	_____	_____

SUMMARY ANALYSIS

The Department of Military Affairs states there are currently 11,628 Florida National Guard members with 9,648 serving in the Florida Army National Guard and 1,980 serving in the Florida Air National Guard.

On March 7, 2005, Governor Jeb Bush proposed creating the Family Readiness Program in the Governor's Supplemental Budget Recommendations for fiscal year 2005-06.

This bill creates the Family Readiness Program under the Department of Military Affairs. The purpose of the program is to provide need-based assistance to families of members of the Florida National Guard on active duty serving in the Global War on Terrorism or Homeland Defense operations.

The program's implementation depends on an appropriation expressly provided for the program. All funds are intended for the purpose of assisting families of deployed members of the Florida National Guard and are not to be used for staffing or administrative costs. Program funds may be used in emergency situations to purchase critically needed services, including, but not limited to, reasonable living expenses, housing, vehicles, equipment or renovations necessary to meet disability needs, and health care.

Those eligible to receive awards under this program are military dependents or those appearing on an eligible service member's Emergency Data Record (Department of Defense Form 93).

The Adjutant General or his or her designee will make final determinations on requests and is authorized to award funds from the program to the families to assist with the requests.

The Department of Military Affairs is to conduct monthly internal audits through its inspector general and provide data every year in an annual report to the Governor and Legislature.

This bill authorizes the Department of Military Affairs to establish rules governing eligibility requirements and implementation of the program.

This bill appropriates \$5,000,000 from the General Revenue Fund for the program.

This bill would take effect upon becoming law.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

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DATE: 4/20/2005

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – This bill creates a new government program with three new personnel under the Department of Military Affairs.

Empower families – This bill creates a new program that provides financial assistance to help families of deployed members of the Florida National Guard who are in need.

B. EFFECT OF PROPOSED CHANGES:

Present Situation:

Florida National Guard

The Department of Military Affairs (DMA) states there are currently 11,628 Florida National Guard (FNG) members with 9,648 serving in the Florida Army National Guard and 1,980 serving in the Florida Air National Guard. Currently, approximately 3,000 FNG members are deployed to a combat zone.

Governor Jeb Bush proposed creating the Family Readiness Program (from his *Supplemental Budget* press release, March 7, 2005):

Military Affairs - The Governor recommends \$5 million for the Family Readiness Program. The Family Readiness Program provides emergency need-based assistance for family members of soldiers of the Florida National Guard when the family provider has been called to active duty. The program provides assistance for things like vehicle repair, living expenses and housing. Each month there is an average of 250 such requests made to the Florida National Guard.

Effect of Proposed Changes:

This bill creates a new section, **s. 250.5206, F.S.**, for the Family Readiness Program under the DMA. The purpose of the program is to provide need-based assistance to families of members of the FNG and the United States Armed Forces Reserves including the Coast Guard Reserves on active duty serving in the Global War on Terrorism, and who are federally deployed or participating in state operations for Homeland Defense.

The program's implementation depends on an appropriation expressly provided for the purpose of the program.

Program funds may be used in emergency situations to purchase critically needed services, including, but not limited to, reasonable living expenses, housing, vehicles, equipment or renovations necessary to meet disability needs, and health care.

Those eligible to receive awards under this program are military dependents or those appearing on an eligible service member's Emergency Data Record (Department of Defense Form 93) who are Florida residents.

Families requesting assistance shall bring their request to the federal Family Center Support Specialist stationed at the state armory near them for validation and assessment. Recommendations will then be forwarded the program director in the FNG headquarters in St. Augustine, FL. The program director

will then review the recommendations for eligibility, appropriateness, and sufficiency of documentation. The Adjutant General or his or her designee will make final determinations on the requests.

The DMA is to conduct monthly internal audits through its inspector general and provide data every year in an annual report to the Governor and Legislature.

This bill then authorizes the DMA to establish rules governing eligibility requirements and implementation of the program.

This bill appropriates \$5,000,000 from the General Revenue Fund for the program. It provides that \$10,000 of this appropriation be used for capital outlay and that three new Personal Service positions be created within DMA for the program.

This bill would take effect July 1, 2005.

C. SECTION DIRECTORY:

Section 1. Creates **s. 250.5206, F.S.**, the Family Readiness Program under the DMA. Provides for purpose, funding, eligibility requirements, payment of awards, auditing, and reporting.

Section 2. Provides an appropriation of \$5,000,000 from the General Revenue Fund for the program and creates three new positions within DMA..

Section 3. Provides for act to take effect July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

There are no known or expected fiscal impacts on state government revenues.

2. Expenditures:

The fiscal impact with regards to expenditures is indeterminate. The DMA receives about 250 requests a month from families regarding matters of assistance. Not all requests are for financial assistance. It is unknown how many more will ask for assistance once the program begins. Each request for financial assistance will be unique.

In addition, it is unknown how many families of Reservists will seek assistance from the program.

This bill appropriates \$5,000,000 from the General Revenue Fund for the program. It also provides that \$10,000 of this appropriation be used for capital outlay.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

There are no known or expected fiscal impacts on local government revenues.

2. Expenditures:

There are no known or expected fiscal impacts on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The program in this bill will provide funds for families of deployed members of the FNG and the United States Armed Forces Reserves including the Coast Guard Reserves to be used in emergency situations to purchase critically needed services, including, but not limited to, reasonable living expenses, housing, vehicles, equipment or renovations necessary to meet disability needs, and health care. The amount of each request is unknown, but will assist eligible families in need.

D. FISCAL COMMENTS:

The Governor proposed \$5 million dollars for the program created in this bill in his supplemental budget released March 7, 2005.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds. This bill does not reduce the percentage of a state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenues.

2. Other:

There do not appear to be any constitutional issues with this bill.

B. RULE-MAKING AUTHORITY:

This bill authorizes the DMA to adopt rules necessary to implement the Family Readiness Program, including procedures for applying for assistance, qualifying services, and criteria for eligibility.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On March 16, 2005, the Committee on Military and Veterans Affairs adopted a strike-all amendment. The strike-all changed the bill from financial assistance for military families with their Serviceman's Group Life Insurance to financial assistance with needs-based emergencies for certain eligible families of deployed FNG members. The committee then voted to approve the bill favorably with committee substitute by a vote of 8 to 0.

On April 7, 2005, the Transportation and Economic Development Appropriations Committee adopted one amendment which appropriates \$5,000,000 from the General Revenue Fund for the program.

On April 20, 2005, the State Administration Council adopted a strike-all amendment. The strike-all changed the bill by:

- Adding servicemembers of the United States Reserve Forces and the Coast Guard reserves with servicemembers of the Florida National Guard for eligibility under this program;
- Removing the stipulation that program funds be prohibited from being used for staffing or administrative costs;
- Adding that families eligible for this program must be residents of Florida;
- Adding that \$10,000 of the \$5 million appropriation is to be used for Capital Outlay to implement the program; and,
- Authorizing three new personnel to administer the program under the Department of Military Affairs.

The council then voted to approve the bill favorably with committee substitute by a vote of 8 to 0.