

CS/HB 129

2010

1 A bill to be entitled
2 An act relating to military affairs; amending s. 115.07,
3 F.S.; revising the amount of annual leave of absence
4 granted to officers and employees of the state, counties,
5 municipalities, and political subdivisions of the state
6 who are commissioned reserve officers or reserve enlisted
7 personnel in the United States military or naval service
8 or who are members of the National Guard; removing an
9 obsolete provision relating to calculation of leave of
10 absence; amending s. 250.10, F.S.; authorizing the
11 Adjutant General to appoint a second Assistant Adjutant
12 General for Army; providing a finding that the act
13 fulfills an important state interest; providing an
14 effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 115.07, Florida Statutes, is amended to
19 read:

20 115.07 Officers and employees' leaves of absence for
21 reserve or guard training.—

22 (1) All officers or employees of the state, of the several
23 counties of the state, and of the municipalities or political
24 subdivisions of the state who are commissioned reserve officers
25 or reserve enlisted personnel in the United States military or
26 naval service or members of the National Guard are entitled to
27 leaves of absence from their respective duties, without loss of
28 vacation leave, pay, time, or efficiency rating, on all days

29 during which they are engaged in training ordered under the
 30 provisions of the United States military or naval training
 31 regulations for such personnel when assigned to active or
 32 inactive duty.

33 (2) Leaves of absence granted as a matter of legal right
 34 under the provisions of this section may ~~shall~~ not exceed 240 ~~17~~
 35 working hours ~~days~~ in any one annual period. Administrative
 36 leaves of absence for additional or longer periods of time for
 37 assignment to duty functions of a military character shall be
 38 without pay and shall be granted by the employing or appointing
 39 authority of any state, county, municipal, or political
 40 subdivision employee and when so granted shall be without loss
 41 of time or efficiency rating.

42 ~~(3) With respect to any officer or employee whose working~~
 43 ~~day consists of a shift measured in hours, each such 12-hour~~
 44 ~~shift or less shall equal 1 working day leave of absence. All~~
 45 ~~other shifts over 12 hours and up to 24 hours shall equal 2~~
 46 ~~working days leave of absence.~~

47 (3) ~~(4)~~ When an employee's assigned employment duty
 48 conflicts with ordered active or inactive duty training, it is
 49 ~~shall be~~ the responsibility of the employing agency of the
 50 state, county, municipal, or political subdivision to provide a
 51 substitute employee, if necessary, for the assumption of such
 52 employment duty while the employee is on assignment for the ~~such~~
 53 training.

54 (4) ~~(5)~~ It is the intent of the Legislature that the state,
 55 its several counties, and its municipalities and political
 56 subdivisions shall grant leaves of absence for active or

57 inactive training to all employees who are members of the United
 58 States Reserve Forces or the National Guard, to ensure the state
 59 and national security at all times through a strong armed force
 60 of qualified and mobilization-ready personnel.

61 Section 2. Subsection (4) of section 250.10, Florida
 62 Statutes, is amended to read:

63 250.10 Appointment and duties of the Adjutant General.—

64 (4) (a) The Adjutant General shall, subject to confirmation
 65 by the Senate, employ a federally recognized officer of the
 66 Florida National Guard, who has served in the Florida Army Guard
 67 for the preceding 5 years and attained the rank of colonel or
 68 higher at the time of appointment, to be the Assistant Adjutant
 69 General for Army.

70 (b) The Adjutant General may, subject to confirmation by
 71 the Senate, employ an additional federally recognized officer of
 72 the Florida National Guard, who has served in the Florida Army
 73 Guard for the preceding 5 years and attained the rank of colonel
 74 or higher at the time of appointment, to be a second Assistant
 75 Adjutant General for Army.

76
 77 Each ~~The~~ officer shall perform the duties required by the
 78 Adjutant General.

79 Section 3. The Legislature finds and declares that this
 80 act fulfills an important state interest.

81 Section 4. This act shall take effect July 1, 2010.