

By the Committee on Transportation and Economic Development
Appropriations; and Senator Fasano

606-02203-10

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1 A bill to be entitled
2 An act relating to military affairs; amending s.
3 115.07, F.S., relating to provisions authorizing leave
4 of absence for officers and employees of the state or
5 counties, municipalities, or political subdivisions
6 who are commissioned reserve officers or reserve
7 enlisted personnel in the United States military or
8 naval service or who are members of the National
9 Guard; providing that such officers and employees are
10 entitled to 240 working hours rather than 17 working
11 days of annual leave of absence without loss of time
12 or efficiency rating; removing an obsolete provision
13 calculating leaves of absence as measured in working
14 days; amending s. 250.10, F.S.; providing for the
15 appointment of a second Assistant Adjutant General for
16 the Florida National Guard Army; providing a finding
17 that the act fulfills an important state interest;
18 providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Section 115.07, Florida Statutes, is amended to
23 read:

24 115.07 Officers and employees' leaves of absence for
25 reserve or guard training.—

26 (1) All officers or employees of the state, of the several
27 counties of the state, and of the municipalities or political
28 subdivisions of the state who are commissioned reserve officers
29 or reserve enlisted personnel in the United States military or

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30 naval service or members of the National Guard are entitled to
31 leaves of absence from their respective duties, without loss of
32 vacation leave, pay, time, or efficiency rating, on all days
33 during which they are engaged in training ordered under the
34 provisions of the United States military or naval training
35 regulations for such personnel when assigned to active or
36 inactive duty.

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

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

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

58 (4) ~~(5)~~ It is the intent of the Legislature that the state,

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59 its several counties, and its municipalities and political
60 subdivisions shall grant leaves of absence for active or
61 inactive training to all employees who are members of the United
62 States Reserve Forces or the National Guard, to ensure the state
63 and national security at all times through a strong armed force
64 of qualified and mobilization-ready personnel.

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

67 250.10 Appointment and duties of the Adjutant General.—

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

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

80
81 Each ~~The~~ officer shall perform the duties required by the
82 Adjutant General.

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

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