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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

03/05/2012 11:37 AM

Senator Altman moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (3), (5), and (6) of section
163.3175, Florida Statutes, are amended to read:

163.3175 Legislative findings on compatibility of
development with military installations; exchange of information
between local governments and military installations.-

(3) The Florida Defense Support Task Force Council ~~on
Military Base and Mission Support~~ may recommend to the
Legislature changes to the military installations and local
governments specified in subsection (2) based on a military



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14 base's potential for impacts from encroachment, and incompatible
15 land uses and development.

16 (5) The commanding officer or his or her designee may
17 provide advisory comments to the affected local government on
18 the impact such proposed changes may have on the mission of the
19 military installation. Such advisory comments shall be based on
20 appropriate data and analyses provided with the comments and may
21 include:

22 (a) If the installation has an airfield, whether such
23 proposed changes will be incompatible with the safety and noise
24 standards contained in the Air Installation Compatible Use Zone
25 (AICUZ) adopted by the military installation for that airfield;

26 (b) Whether such changes are incompatible with the
27 Installation Environmental Noise Management Program (IENMP) of
28 the United States Army;

29 (c) Whether such changes are incompatible with the findings
30 of a Joint Land Use Study (JLUS) for the area if one has been
31 completed; and

32 (d) Whether the military installation's mission will be
33 adversely affected by the proposed actions of the county or
34 affected local government.

35
36 The commanding officer's comments, underlying studies, and
37 reports shall be considered by the local government in the same
38 manner as the comments received from other reviewing agencies
39 pursuant to s. 163.3184 ~~are not binding on the local government.~~

40 (6) The affected local government shall take into
41 consideration any comments and accompanying data and analyses
42 provided by the commanding officer or his or her designee



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43 pursuant to subsection (4) as they relate to the strategic
44 mission of the base, public safety, and the economic vitality
45 associated with the base's operations, while also respecting and
46 ~~must also be sensitive to~~ private property rights and not being
47 ~~be~~ unduly restrictive on those rights. The affected local
48 government shall forward a copy of any comments regarding
49 comprehensive plan amendments to the state land planning agency.

50 Section 2. Subsections (9) and (10) of section 288.972,
51 Florida Statutes, are amended to read:

52 288.972 Legislative intent.—It is the policy of this state,
53 once the Federal Government has proposed any base closure or has
54 determined that military bases, lands, or installations are to
55 be closed and made available for reuse, to:

56 ~~(9) Coordinate the development of the Defense-Related~~
57 ~~Business Adjustment Program to increase commercial technology~~
58 ~~development by defense companies.~~

59 (9) ~~(10)~~ Coordinate the development, maintenance, and
60 analysis of a workforce database to assist workers adversely
61 affected by defense-related activities in their relocation
62 efforts.

63 Section 3. Section 288.980, Florida Statutes, is amended to
64 read:

65 288.980 Military base retention; legislative intent; grants
66 program.—

67 (1) (a) It is the intent of this state to provide the
68 necessary means to assist communities with military
69 installations in supporting and sustaining those installations
70 ~~that would be adversely affected by federal base realignment or~~
71 ~~closure actions.~~ It is further the intent to encourage



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72 communities to initiate a coordinated program of response and
73 plan of action in advance of future actions of the federal
74 government relating to realignments and closures Base
75 ~~Realignment and Closure Commission~~. It is critical that ~~closure-~~
76 ~~vulnerable~~ communities develop and implement strategies such a
77 ~~program~~ to preserve and protect affected military installations.
78 The Legislature hereby recognizes that the state needs to
79 coordinate all efforts that can support ~~facilitate the retention~~
80 ~~of all remaining~~ military installations throughout ~~in~~ the state.
81 The Legislature, therefore, declares that providing such
82 assistance to support the defense-related initiatives within
83 this section is a public purpose for which public money may be
84 used.

85 (b) The Florida Defense Alliance, an organization within
86 Enterprise Florida, is designated as the organization to ensure
87 that Florida, its resident military bases and missions, and its
88 military host communities are in competitive positions as the
89 United States continues its defense realignment and downsizing.
90 The defense alliance shall serve as an overall advisory body for
91 defense-related activity of Enterprise Florida, Inc. The Florida
92 Defense Alliance may receive funding from appropriations made
93 for that purpose administered by the department.

94 (2) The Military Base Protection Program is created. Funds
95 appropriated to this program may be used to address emergent
96 needs relating to mission sustainment and base retention. All
97 funds appropriated for the purposes of this program are eligible
98 to be used for matching of federal funds. The department shall
99 coordinate and implement this program.

100 (3)-(2)(a) The department is authorized to award grants on a



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101 competitive basis from any funds available to it to support
102 activities related to the Florida Defense Reinvestment Grant
103 Program and the Florida Defense Infrastructure Grant Program
104 ~~retention of military installations potentially affected by~~
105 ~~federal base closure or realignment.~~

106 (b) The term "activities" as used in this section means
107 studies, presentations, analyses, plans, and modeling. For the
108 purposes of the Florida Defense Infrastructure Grant Program,
109 the term "activities" also includes, but is not limited to,
110 construction, land purchases, and easements. Staff salaries are
111 not considered an "activity" for which grant funds may be
112 awarded. Travel costs and costs incidental thereto incurred by a
113 grant recipient shall be considered an "activity" for which
114 grant funds may be awarded.

115 (c) ~~Except for grants issued pursuant to the Florida~~
116 ~~Military Installation Reuse Planning and Marketing Grant Program~~
117 ~~as described in paragraph (3)(c), the amount of any grant~~
118 ~~provided to an applicant may not exceed \$250,000.~~ The department
119 shall require that an applicant:

- 120 1. Represent a local government with a military
121 installation or military installations that could be adversely
122 affected by federal actions ~~base realignment or closure.~~
- 123 2. Agree to match at least 30 percent of any grant awarded.
- 124 3. Prepare a coordinated program or plan of action
125 delineating how the eligible project will be administered and
126 accomplished.
- 127 4. Provide documentation describing the potential for
128 changes to the mission ~~realignment or closure~~ of a military
129 installation located in the applicant's community and the



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130 ~~potential adverse~~ impacts such ~~changes realignment or closure~~
131 will have on the applicant's community.

132 (d) In making grant awards the department ~~office~~ shall
133 consider, at a minimum, the following factors:

134 1. The relative value of the particular military
135 installation in terms of its importance to the local and state
136 economy relative to other military installations ~~vulnerable to~~
137 ~~closure~~.

138 2. The potential job displacement within the local
139 community should the mission of the military installation be
140 changed ~~closed~~.

141 3. The potential ~~adverse~~ impact on industries and
142 technologies which service the military installation.

143 ~~(4)~~ ~~(3)~~ The Florida Defense Reinvestment Grant Program
144 ~~Economic Reinvestment Initiative~~ is established to respond to
145 the need for this state to work in conjunction with defense-
146 dependent communities in developing and implementing strategies
147 and approaches that will help communities support the missions
148 of military installations, and in developing and implementing
149 ~~and defense-dependent communities in this state to develop~~
150 alternative economic diversification strategies to transition
151 from a defense economy to a nondefense economy ~~lessen reliance~~
152 ~~on national defense dollars in the wake of base closures and~~
153 ~~reduced federal defense expenditures and the need to formulate~~
154 ~~specific base reuse plans and identify any specific~~
155 ~~infrastructure needed to facilitate reuse.~~ Eligible applicants
156 include defense-dependent counties and cities, and local
157 economic development councils located within such communities.
158 The program ~~initiative~~ shall ~~consist of the following two~~



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159 ~~distinct grant programs to be administered by the department and~~
160 ~~grant awards may be provided to support community-based~~
161 ~~activities that:~~

162 (a) Protect existing military installations; ~~The Florida~~
163 ~~Defense Planning Grant Program, through which funds shall be~~
164 ~~used to analyze the extent to which the state is dependent on~~
165 ~~defense dollars and defense infrastructure and prepare~~
166 ~~alternative economic development strategies. The state shall~~
167 ~~work in conjunction with defense-dependent communities in~~
168 ~~developing strategies and approaches that will help communities~~
169 ~~make the transition from a defense economy to a nondefense~~
170 ~~economy. Grant awards may not exceed \$250,000 per applicant and~~
171 ~~shall be available on a competitive basis.~~

172 (b) Diversify the economy of a defense-dependent community;
173 or ~~The Florida Defense Implementation Grant Program, through~~
174 ~~which funds shall be made available to defense-dependent~~
175 ~~communities to implement the diversification strategies~~
176 ~~developed pursuant to paragraph (a). Eligible applicants include~~
177 ~~defense-dependent counties and cities, and local economic~~
178 ~~development councils located within such communities. Grant~~
179 ~~awards may not exceed \$100,000 per applicant and shall be~~
180 ~~available on a competitive basis. Awards shall be matched on a~~
181 ~~one-to-one basis.~~

182 (c) ~~The Florida Military Installation Reuse Planning and~~
183 ~~Marketing Grant Program, through which funds shall be used to~~
184 ~~help counties, cities, and local economic development councils~~
185 ~~Develop and implement plans for the reuse of closed or realigned~~
186 ~~military installations, including any plans necessary for~~
187 ~~infrastructure improvements needed to facilitate reuse and~~



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188 related marketing activities.

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190 Applications for grants under this subsection must include a
191 coordinated program of work or plan of action delineating how
192 the eligible project will be administered and accomplished,
193 which must include a plan for ensuring close cooperation between
194 civilian and military authorities in the conduct of the funded
195 activities and a plan for public involvement.

196 (5)~~(4)~~ The Defense Infrastructure Grant Program is created.

197 The department shall coordinate and implement this program, the
198 purpose of which is to support local infrastructure projects
199 deemed to have a positive impact on the military value of
200 installations within the state. Funds are to be used for
201 projects that benefit both the local community and the military
202 installation. ~~It is not the intent, however, to fund on-base~~
203 ~~military construction projects.~~ Infrastructure projects to be
204 funded under this program include, but are not limited to, those
205 related to encroachment, transportation and access, utilities,
206 communications, housing, environment, and security. Grant
207 requests will be accepted only from economic development
208 applicants serving in the official capacity of a governing board
209 of a county, municipality, special district, or state agency
210 that will have the authority to maintain the project upon
211 completion. An applicant must represent a community or county in
212 which a military installation is located. There is no limit as
213 to the amount of any grant awarded to an applicant. A match by
214 the county or local community may be required. The program may
215 not be used to fund on-base military construction projects. The
216 department shall establish guidelines to implement the purpose



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217 of this subsection.

218 ~~(5) (a) The Defense-Related Business Adjustment Program is~~
219 ~~hereby created. The department shall coordinate the development~~
220 ~~of the Defense-Related Business Adjustment Program. Funds shall~~
221 ~~be available to assist defense-related companies in the creation~~
222 ~~of increased commercial technology development through~~
223 ~~investments in technology. Such technology must have a direct~~
224 ~~impact on critical state needs for the purpose of generating~~
225 ~~investment-grade technologies and encouraging the partnership of~~
226 ~~the private sector and government defense-related business~~
227 ~~adjustment. The following areas shall receive precedence in~~
228 ~~consideration for funding commercial technology development: law~~
229 ~~enforcement or corrections, environmental protection,~~
230 ~~transportation, education, and health care. Travel and costs~~
231 ~~incidental thereto, and staff salaries, are not considered an~~
232 ~~"activity" for which grant funds may be awarded.~~

233 ~~(b) The department shall require that an applicant:~~

234 ~~1. Be a defense-related business that could be adversely~~
235 ~~affected by federal base realignment or closure or reduced~~
236 ~~defense expenditures.~~

237 ~~2. Agree to match at least 50 percent of any funds awarded~~
238 ~~by the United States Department of Defense in cash or in-kind~~
239 ~~services. Such match shall be directly related to activities for~~
240 ~~which the funds are being sought.~~

241 ~~3. Prepare a coordinated program or plan delineating how~~
242 ~~the funds will be administered.~~

243 ~~4. Provide documentation describing how defense-related~~
244 ~~realignment or closure will adversely impact defense-related~~
245 ~~companies.~~



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246 ~~(6) The Retention of Military Installations Program is~~
247 ~~created. The department shall coordinate and implement this~~
248 ~~program.~~

249 (6)~~(7)~~ The department may award nonfederal matching funds
250 specifically appropriated for construction, maintenance, and
251 analysis of a Florida defense workforce database. Such funds
252 will be used to create a registry of worker skills that can be
253 used to match the worker needs of companies that are relocating
254 to this state or to assist workers in relocating to other areas
255 within this state where similar or related employment is
256 available.

257 (7)~~(8)~~ Payment of administrative expenses shall be limited
258 to no more than 10 percent of any grants issued pursuant to this
259 section.

260 (8)~~(9)~~ The department shall establish guidelines to
261 implement and carry out the purpose and intent of this section.

262 Section 4. The powers, duties, functions, records,
263 personnel, property, pending issues, existing contracts,
264 administrative authority, administrative rules, and unexpended
265 balances of appropriations, allocations, and other funds of the
266 Florida Council on Military Base and Mission Support within the
267 Department of Economic Opportunity are transferred by a type two
268 transfer, as defined in s. 20.06(2), Florida Statutes, to the
269 Florida Defense Support Task Force within the Department of
270 Economic Opportunity.

271 Section 5. Section 288.984, Florida Statutes, is repealed.

272 Section 6. Subsections (1) and (2) of section 288.985,
273 Florida Statutes, are amended to read:

274 288.985 Exemptions from public records and public meetings



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275 requirements.-

276 (1) The following records held by the Florida Defense
277 Support Task Force Council on Military Base and Mission Support
278 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State
279 Constitution:

280 (a) That portion of a record which relates to strengths and
281 weaknesses of military installations or military missions in
282 this state relative to the selection criteria for the
283 realignment and closure of military bases and missions under any
284 United States Department of Defense base realignment and closure
285 process.

286 (b) That portion of a record which relates to strengths and
287 weaknesses of military installations or military missions in
288 other states or territories and the vulnerability of such
289 installations or missions to base realignment or closure under
290 the United States Department of Defense base realignment and
291 closure process, and any agreements or proposals to relocate or
292 realign military units and missions from other states or
293 territories.

294 (c) That portion of a record which relates to the state's
295 strategy to retain its military bases during any United States
296 Department of Defense base realignment and closure process and
297 any agreements or proposals to relocate or realign military
298 units and missions.

299 (2) Meetings or portions of meetings of the Florida Defense
300 Support Task Force Council on Military Base and Mission Support,
301 or a workgroup of the task force council, at which records are
302 presented or discussed which are exempt under subsection (1) are
303 exempt from s. 286.011 and s. 24(b), Art. I of the State



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304 Constitution.

305 Section 7. Subsections (2), (5), (6), and (7) of section
306 288.987, Florida Statutes, are amended to read:

307 288.987 Florida Defense Support Task Force.—

308 (2) The mission of the task force is to make
309 recommendations ~~to prepare the state to effectively compete in~~
310 ~~any federal base realignment and closure action,~~ to support the
311 state's position in research and development related to or
312 arising out of military missions and contracting, and to improve
313 the state's military-friendly environment for service members,
314 military dependents, military retirees, and businesses that
315 bring military and base-related jobs to the state.

316 (5) The executive director of Department of Economic
317 Opportunity ~~the Office of Tourism, Trade, and Economic~~
318 ~~Development within the Executive Office of the Governor,~~ or his
319 or her designee, shall serve as the ex officio, nonvoting
320 executive director of the task force.

321 (6) ~~The chair shall schedule and conduct the first meeting~~
322 ~~of the task force by October 1, 2011.~~ The task force shall
323 submit an annual ~~a~~ progress report and work plan ~~for the~~
324 ~~remainder of the 2011-2012 fiscal year~~ to the Governor, the
325 President of the Senate, and the Speaker of the House of
326 Representatives ~~by February 1, 2012, and shall submit an annual~~
327 ~~report~~ each February 1 thereafter.

328 (7) The department ~~Office of Tourism, Trade, and Economic~~
329 ~~Development~~ shall contract with the task force for expenditure
330 of appropriated funds, which may be used by the task force for
331 economic and product research and development, joint planning
332 with host communities to accommodate military missions and



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333 prevent base encroachment, advocacy on the state's behalf with
334 federal civilian and military officials, assistance to school
335 districts in providing a smooth transition for large numbers of
336 additional military-related students, job training and placement
337 for military spouses in communities with high proportions of
338 active duty military personnel, and promotion of the state to
339 military and related contractors and employers. The task force
340 may annually spend up to \$200,000 of funds appropriated to the
341 ~~department Executive Office of the Governor, Office of Tourism,~~
342 ~~Trade, and Economic Development,~~ for the task force for staffing
343 and administrative expenses of the task force, including travel
344 and per diem costs incurred by task force members who are not
345 otherwise eligible for state reimbursement.

346 Section 8. This act shall take effect July 1, 2012.

347
348 ===== T I T L E A M E N D M E N T =====

349 And the title is amended as follows:

350 Delete everything before the enacting clause
351 and insert:

352 A bill to be entitled
353 An act relating to military installations; amending s.
354 163.3175, F.S.; authorizing the Florida Defense
355 Support Task Force to recommend to the Legislature
356 specified changes in military installations and local
357 governments under the Community Planning Act;
358 clarifying and revising procedures related to exchange
359 of information between military installations and
360 local governments under the act; amending s. 288.972,
361 F.S.; revising legislative intent with respect to



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362 proposed closure or reuse of military bases; amending
363 s. 288.980, F.S.; creating the Military Base
364 Protection Program within the Department of Economic
365 Opportunity; providing for use of program funds;
366 revising provisions relating to the award of grants
367 for retention of military installations; revising a
368 definition; eliminating the Florida Economic
369 Reinvestment Initiative; establishing the Florida
370 Defense Reinvestment Grant Program to be administered
371 by the Department of Economic Opportunity; specifying
372 purposes of the program; specifying activities for
373 which grant awards may be provided; eliminating the
374 Defense-Related Business Adjustment Program, the
375 Florida Defense Planning Grant Program, the Florida
376 Defense Implementation Grant Program, the Florida
377 Military Installation Reuse Planning and Marketing
378 Grant Program, and the Retention of Military
379 Installations Program; transferring and reassigning
380 the functions and responsibilities of the Florida
381 Council on Military Base and Mission Support within
382 the Department of Economic Opportunity to the Florida
383 Defense Support Task Force within the Department of
384 Economic Opportunity by type two transfer; repealing
385 s. 288.984, F.S., which establishes the Florida
386 Council on Military Base and Mission Support and
387 provides purposes thereof; amending s. 288.985, F.S.;
388 conforming provisions relating to exempt records and
389 meetings of the Council on Military Base and Mission
390 Support; amending s. 288.987, F.S.; revising



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provisions relating to the Florida Defense Support
Task Force, to conform; providing an effective date.